

SENATE—Monday, September 27, 1982

(Legislative day of Wednesday, September 8, 1982)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

It is a good thing to give thanks unto the Lord, and to sing praise unto Thy name, O most High: To shew forth Thy loving kindness in the morning, and Thy faithfulness every night.—Psalm 92:1,2

Loving Lord, we thank Thee for the leadership of the Senate, for the strength and wisdom of Senator HOWARD BAKER, and Senator ROBERT C. BYRD. As we enter this final week, we pray for them, their families and staffs a special measure of grace. As they have steered this body through rough waters and tempestuous weather these past 2 years, may these next 5 days bring resolution to all the business they deem essential so that they and all the Senators may end this week with the satisfaction of a task well done. In the name of the One who finished the work He had come to do. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

THE CHAPLAIN'S PRAYER

Mr. BAKER. Mr. President, I do not often comment on the Chaplain's prayer, but I must say I believe this is the first time that the distinguished minority leader and I have been recognized by name. We are grateful for that.

There are some days when we hope no one is watching, let alone the Diety.

But I thank the Chaplain for his prayerful remarks.

OCTOBER SPRING

Mr. BAKER. Mr. President, by this week's end, October will be upon us, and I am pleased that I have received from my good friend and colleague from Indiana, Senator LUGAR, a poem entitled "October Spring."

The poem was written by Philip Appleman who is a professor of English at Indiana University. Mr. Appleman

was the recipient of a National Endowment for the Arts fellowship in creative writing and the winner of the Castagnola Award for the collection of poems contained in his book "Open Doorways."

I ask unanimous consent that the text of "October Spring" by printed in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

OCTOBER SPRING

When crisp catalpa leaves come tumbling down the frosty morning air like tarpaulins for tulips, it's spring again in little college towns, October snipping at our brave beginnings, the new year pruned away to nine lean months of three-day weeks and fifty-minute hours. This new year lights no dogwood, no magnolia to find us limping through our shrunken moments or calling courage from our stubborn past, the long pilgrimage of algae, sponges, reptiles, flowers, men. No robins linger in the haze of this late spring to whistle, in our fifty-minute hours, the miracles to come: birds of brighter plumage, richer songs, flowers in subtler shades, men and women walking together in peace. But the big catalpa leaves float crippled down the slanting sun, brown nourishment to our long hope, and we are clinging to our thinning years because brown leaves are clumsy promises: because it's spring again.

ORDER FOR PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that after the execution of the special order in favor of the Senator from Georgia (Mr. NUNN) there be a period for the transaction of routine morning business to extend not past the hour of 12 noon in which Senators may speak for not more than 5 minutes each.

The PRESIDING OFFICER (Mr. DENTON). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, is there an order for the Senate to turn to the consideration of H.R. 6968, the military construction appropriations bill today?

The PRESIDING OFFICER. The majority leader is correct.

Mr. BAKER. I believe the order is to do so at 12 noon; is that correct?

The PRESIDING OFFICER. At 12 noon is correct.

Mr. BAKER. Mr. President, is there an order for the Senate to proceed to the consideration of the Government debt collection bill, H.R. 4613, after the disposition of the military construction appropriations bill?

The PRESIDING OFFICER. The majority leader is correct.

Mr. BAKER. I believe there are time agreements on both those measures, are there not?

The PRESIDING OFFICER. The majority leader is correct.

Mr. BAKER. Mr. President, I also point out to Members that while we will take up these two important issues today and dispose of them, no rollcall votes will occur today because of the religious significance of this day.

Rollcall votes that are ordered today will be stacked and occur beginning at 2 p.m. tomorrow under the order previously entered.

ORDER VITIATING SENATOR NUNN'S SPECIAL ORDER

Mr. BAKER. Mr. President, I understand that the Senator from Georgia now indicates he does not need the special order in his favor. I ask unanimous consent that it be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE SCHEDULE

Mr. BAKER. Mr. President, the schedule then for today will be morning business, after the two leaders, until 12 noon, in which Senators may speak for not more than 5 minutes each; at 12 noon the Senate will proceed to the consideration of the military construction appropriations bill, Calendar Order No. 839, H.R. 6968, on which there is a time agreement.

Following disposition of that measure the Senate will proceed to the consideration of Calendar Order No. 545, H.R. 4613, the Government debt collection bill, on which there is a time limit.

No rollcall votes will occur today.

Mr. President, it is not anticipated that the Senate will be in late today. However, I point out to Members that we are prepared to proceed to the consideration of other matters that may be brought before the Senate that can be disposed of in a relatively brief time and without the requirement for a rollcall vote.

Mr. President, on tomorrow under a previous order the Senate will proceed to the consideration of the agriculture appropriations bill at 10 a.m.

ORDER FOR RECESS UNTIL 9:15 A.M. TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 9:15 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE SCHEDULE TOMORROW

Mr. BAKER. Mr. President, tomorrow the Senate will convene at 9:15 a.m. and after the opening activities, including the time allocated to the two leaders under the standing order and the discharge of any special orders and perhaps a period for the transaction of routine morning business, the Senate will turn at 10 a.m. to the consideration of the agriculture appropriations bill on which there is a time agreement.

THE OUTLOOK

Mr. BAKER. Mr. President, the outlook for this week is as follows:

The Senate must deal with whatever appropriation bills are available. We have already passed the first one of those, the HUD appropriations bill on Friday.

We will take up military construction today and agriculture tomorrow. That is a good beginning.

But there are 13 of those bills altogether and as we receive them from the House of Representatives and operate them through our committee we will take them up as they are available and cleared.

It is anticipated that we will proceed to the consideration of a continuing resolution either on Tuesday or Wednesday.

I will consult with the minority leader about the possibility or proceeding to that measure on Tuesday instead of Wednesday, which I believe otherwise would qualify under the 3-day rule. I hope we can go to it on Tuesday and finish the continuing resolution on Wednesday and send it to conference.

Members should bear in mind that it is our hope to finish before midnight on October 1, which is Friday. So in order for the continuing resolution to be completed through the conference process and reach the President's desk in time for him to consider it, it seems to me that we must do that on Wednesday with the conference action by both Houses to be concluded on Thursday.

Mr. President, there are a number of other matters that can and no doubt

will be taken up during the course of this week, but the appropriation bills, the continuing resolution, and the crime package, plus conference reports as they are available, are the must items that must be disposed of this week.

Senators should be aware of the possibility of late sessions any night this week in order to complete the business of the Senate.

Mr. President, I have a request from the distinguished assistant majority leader that he wishes some time from the time allocated to me. I do not see him in the Chamber at this moment.

I reserve the remainder of my time, and I yield so that the acting minority leader may seek recognition.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. The acting minority leader is recognized.

Mr. BAUCUS. Mr. President, I have no need for the time allocated for the minority leader. I reserve the remainder of the time so allocated.

Mr. BAKER. Mr. President, may I suggest, then, that, in view of that, we proceed to the time for transaction of routine morning business.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business that will expire no later than 12 noon, during which Senators may speak for 5 minutes each.

Mr. BAKER. Mr. President, I observe that both the acting minority leader and I have reserved the remainder of our time but there will be ample time now for Members to speak in morning business between now and 12 o'clock and I urge Senators to do so if they wish.

SOVIET INSIDERS: HOW POWER FLOWS IN MOSCOW

Mr. PERCY. Mr. President, recently Ned Temko, who has been the Christian Science Monitor's Moscow correspondent for over 1 year now, published in his newspaper a series of articles summarizing his gleanings on "Soviet Insiders: How Power Flows in Moscow." That may sound fairly routine, but anyone who has ever tried to do much business in or with Moscow can tell you that the real inner workings of the Soviet power structure are extraordinarily difficult to penetrate.

Frustrated, as are almost all outsiders, in attempts to gain access to the top Soviet leaders, Temko diligently and over many months sought interviews with second- and third-echelon Soviet officials who are themselves often present when policy decisions are discussed by the leadership. He

has done a remarkable job in putting together from their conversation clues as to how the Soviet Union is run.

I commend to my colleagues this series of articles for a rare glimpse at Moscow decisionmaking—a subject critical for all of us to understand. Mr. President, I ask unanimous consent that the full text of the articles be inserted in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SOVIET INSIDERS: HOW POWER FLOWS IN MOSCOW

(By Ted Temko)

Moscow.—Clark Gable, in a deservedly forgotten 1940 film, plays a spy posing as a journalist in Moscow. Along the way, our hero adds one bit of wisdom to Western man's understanding of the Kremlin:

"Face the facts, baby, there ain't no news in Russia!"

Comrade Gable remains largely right about one key area of "reporting" on the Soviet Union—the emptiness of many of the political stories to which we in Moscow devote most of our time and energy. Such dispatches should carry some kind of consumer warning, like packs of cigarettes.

For instance, on the Polish crisis: "The following article, however knowledgeable it may sound, is based on what the Soviet news media say—not necessarily what Soviet officials think—about Poland. The author can claim no insight into such thinking, much less into Soviet intentions. The 'diplomatic sources' are in the same fix."

(One example of the potential discrepancies: For weeks now, the Soviet media have reported a gradual "normalization" in Poland. One Soviet official, when interviewed recently, shrugged this off—"Normalization? Yes, in about five years, maybe. . . .")

The current Monitor series, if written from anywhere but Moscow, would be in a Monitor wastebasket. The first article is about reporters and reporting, something reporters are not supposed to write about for the excellent reason that the subject puts most people to sleep.

The rest is about Soviet politics, policy, and power at the tail end of the 17-year-old Leonid Brezhnev era.

The subject is not at all new. The approach, however, is a bit unorthodox; based both on the Western reporter's normal fare of news media and diplomatic sources—and on 32 lengthy interviews over the past year with ranking Soviet officials.

The plan was simple, and, to at least some Soviet officials, clearly crazy. I wanted a firsthand account of how the Soviet system works, how power and paper flow, of who matters and who doesn't.

What kind of men are at, or at least near, the top?

And on specific policy issues, like Poland, do they really think in the stark blacks and whites of Pravda commentary? (All evidence on this last question was, incidentally, "no.")

A little like the Soviet bureaucracy, I quickly found planning far easier than results.

"I'm calling about a possible interview with Mr. Mikhail Suslov," began one phone call early last year to the Communist Party Central Committee. (Mr. Suslov, who passed

on last month, was a member of the central Soviet leadership for some 35 years.)

After a moment of stunned silence, the voice on the other end of the line erupted into hearty laughter. "I suppose the next thing you'll tell me is that you want to see Comrade Brezhnev!" (It was. Neither interview materialized.)

Or, there was the head of the Central Committee's "Letter Department," which handles the swelling thousands of requests and complaints the committee has been encouraging, and receiving, from ordinary citizens. His officer's initial response (with no discernible trace of irony) was: "Write a letter" (to the Foreign Ministry).

Word of my shenanigans evidently spread. A few months back, I met Yuri Chernyakov, the tall, stately chief of the Foreign Ministry press department. "Ah, so you're the Mr. Temko who has been trying to see our senior officials," he said, not at all unkindly. "Well, I think you should keep at it. There are still unfortunate tendencies—mostly, I would say, from earlier days—that make this difficult. But really, do keep at it."

My eyes lit up. I suggested he might help me in my longtime quest for an interview with his boss, Foreign Minister Andrei Gromyko. Mr. Chernyakov smiled and, in several wonderfully crafted sentences, delivered a polite, but unmistakable, "no."

Yet ultimately, 18 high-ranking Soviets agreed to lengthy interviews and, in some cases, to four or five interviews. Fifteen of the officials were members of the Communist Party's Central Committee. The rest sat on the Central Auditing Commission, theoretically a troubleshooter for party finances and bureaucracy and often a way station to a place on the Central Committee.

Two men interviewed turned out to be, in effect, unlisted members of the Central Committee's Secretariat—next to the party Politburo, the country's most powerful political body. At least one-third of the officials had attended both Politburo and Secretariat meetings. Boris Pastukhov, leader of the party's youth wing, said he did so quite often.

Another official attended Secretariat sessions less frequently, but gets what were described as thorough briefings on top-level discussions and decisions.

Within the government (as opposed to party) hierarchy, one man held the rank of minister. Another, though without formal rank, said he attended all meetings of the Council of Ministers.

Perhaps inevitably, some of the officials open to the idea of an interview were foreign policy specialists with some experience in dealing with Western diplomats or reporters. These included men like Georgi Arbatov from Moscow's Institute of the United States and Canada, and political commentators like Alexander Bovin of *Izvestia* and Yuri Zhukov of *Pravda*.

But much of the material in the articles that follow came from others; people like Mr. Pastukhov; the editors in chief of *Pravda* and *Sovetskaya Rossiya* (the equivalent of *Pravda* for the Russian Republic); the two Council of Ministers men; and the chief of the Communist Party's official ideological journal, *Kommunist*.

A few of the interviews were a bit frustrating. Arranging them in the first place sometimes involved a fair amount of verbal acrobatics. On one occasion this plainly backfired.

In seeking an interview with a Ukrainian novelist, who happened to be a member of the Central Committee, I professed a not

entirely genuine adoration for his writing. So when we met, in the lobby of a Moscow hotel, Alexander Gonchar afforded an encyclopedic briefing on the subject. I then slipped in a question about the workings of the Central Committee, to which he promptly replied: "I won't say anything on that subject. Let's talk about literature. . . ." We did.

Yet even the more reticent or formal of those interviewed often provided insights into the way the system works, or the way its protagonists think and act. Most went much further, addressing with what I sometimes found remarkable frankness issues of politics, policy, and power.

What emerged was not a perfectly precise picture of the workings of a nation Churchill called "a riddle wrapped in a mystery inside an enigma." But the officials did uncover some parts of the puzzle and, in other areas, at least suggest which pieces went where.

The articles that follow may present merely the picture Soviet officials want to offer. But I have sought to skirt, or at least minimize, the possibility by crosschecking information and by speaking with various senior officials more than once. Information that seemed suspect has been explicitly hedged or omitted.

Without overstating the value of this series, there is another sense in which the interviews were worth doing. From the start the idea had been—regardless of what facts and insights ranking Soviet officials might or might not provide—to go beyond the generally passive approach that marks our everyday reporting on the Kremlin.

When reporting on other subjects—like the way Russians live, or joke, or dissent—we work harder and write better. To be fair, this is probably natural. Ordinary Russians, and dissident Russians, talk more openly than official Russians.

Leonid Brezhnev's latest utterances on the perfidy of world imperialism tend to be somewhat less riveting than the jokes Muscovites tell about him.

But will Soviet tanks rumble into Poland? Or out of Afghanistan? Here, we rely almost exclusively on "sources" that cannot possibly, by themselves, answer such questions. We absorb the enormous daily wordspew of *Pravda*, *Izvestia*, *Tass*, Soviet television, and the like.

Then we talk to diplomats who rely largely on the same "sources." Official or not, even the most sophisticated of Soviet media commentaries tell us only what the Kremlin thinks, perhaps even only what the author thinks. Often, we cannot be sure which. As for what the Kremlin will "do," we are left to make an educated guess.

Worse, in a town where journalists routinely collaborate with diplomats and with one another, we are often satisfied with a single, consensus guess. Worse still, our dispatches, no matter how carefully peppered with stock Moscow adverbs like "apparently" and "reportedly," often suggest a far greater certainty about Kremlin workings and intentions than any of us can honestly claim.

One example: Intermittently over the past year, Moscow dispatches have noted parallels between Soviet media commentary on the upheaval in Poland and official coverage of Czechoslovakia before the tanks rolled into Prague some 14 years ago. The implication was that the Kremlin might be revving up its tanks once again.

Yet just as conceivably, the media rumblings could have meant the Kremlin

wanted the outside world, particularly the Poles, to think the tanks were about to roll. Ultimately, we could not know.

Sometimes we admitted this problem, starkly and explicitly. Yet at other times, we finessed it with a quotation or two from a Moscow diplomat no more clued in to Kremlin thinking on Poland than we were. Depending on the diplomat chosen, Soviet intervention was portrayed as more, or less, likely.

Almost never did we track down a Soviet official for at least a hint of what the men in the Kremlin were planning. In most places outside the Soviet Union, this would be a Western reporter's automatic impulse.

Clark Gable is right. Things are different here. A few days after I arrived in Moscow, a European colleague told how he had tried to chase down rumors of an impending Warsaw Pact summit meeting. With pristine logic, he phoned the information department of the Central Committee.

"Why are you calling us?" he was asked. "You are, I was told, the information department," he rebutted dryly.

"Yes," said the voice, polite and patient. "But we don't give information. We get it."

IT'S NOT "DEMOCRACY" BUT MANY SOVIETS HAVE A SAY

(By Ned Temko)

Moscow.—"Things were, well, different before Brezhnev," the Soviet official began. He paused, took a sip of tea, and smiled: "I remember once Khrushchev, all of a sudden, decided a certain man must be named deputy premier. . . . Well, it was done. Then Khrushchev said, no, this wasn't the man he wanted. . . ."

"The first man, who of course couldn't figure out from the start why he was suddenly becoming deputy premier, was given a nice job somewhere else. . . ."

The moral, various senior officials suggested, is this: Under Leonid Brezhnev, there is greater stability, logic, "professionalism," in the business of making decisions and policy. More people—better-trained, more-specialized people—have a say: individuals and institutions well outside the "interlocking directorate" of Politburo and Secretariat.

But in practice, some of these "individuals and institutions" matter much more, or differently, than others. There is often an enormous amount of input in the formulation of domestic or foreign policy. Yet the extent to which input equals influence depends on the particular people and issues involved. Ultimate policymaking power remains the province of a very few. Below them trails an intricate, if not always perfectly decipherable, hierarchy of influence . . . and of access.

For some, access is more indirect, influence less powerful, than for others. But the story begins with nonmembers:

Down a nondescript alleyway almost literally within shouting distance of the Kremlin sits a lobby that, with its public writing tables, looks a little like a post office. A sign outside ways it is an official "reception" area. There you will typically find a small gathering of quite ordinary Russians (or Byelorussians, or Ukrainians)—bundled old women and war veterans and younger working people.

Most are hunched over tables, scribbling requests or complaints to the Central Committee of the Communist Party of the Soviet Union. By official figures, there are some 600,000 "Dear Central Committee"

notes a year. Yet if the small percentage penned at the reception room is any guide, most seem to seek no real "policy" input.

On my latest visit, I found a huddle of people, including a young woman from Byelorussia and a war veteran from south of Moscow, framing requests for more apartment space. An older woman wanted to get back at a prosecutor for wrongfully hauling one of her relatives into court.

"I don't know if the letters work," said a third woman. "Some people say they do. . . ."

The letters do get read—by a recently created Central Committee department attached to the Secretariat. Thus the voices of these people, and of many other Soviet citizens without high official rank—whether workers or shoppers, or local government and party officials—do get heard near the top. They undoubtedly matter. How much is impossible for a foreign reporter to say with any certainty.

But senior Soviet officials made one thing clear: The major role in policymaking belongs to people and institutions that don't have to write the Secretariat (or to those explicitly asked to do so).

The cast of characters tends to be largest, their individual roles most predictable, for set pieces like the framing of the yearly economic plan or of a long-anticipated Brezhnev foreign policy address.

Yet occasionally, most often in foreign relations, the Politburo and Secretariat cannot set their own agendas. Dissident physicist Andrei Sakharov, for instance, may go on hunger strike. A Soviet submarine may run aground off Sweden. Ronald Reagan may give the green light for production of a neutron weapon—or announce economic sanctions over the Polish crisis. Then, the cast of characters is apt to narrow.

One group, officials said, has virtually automatic input: the Secretariat's own departments and apparatus. (If you're not a member, it helps at least to move in the same circles.) Beyond this? One official said eloquently, "It depends. . . ."

Last August, Ronald Reagan decided to go ahead with production of a neutron weapon. (Leonid Brezhnev was vacationing in the Crimea.) The Soviet response came a week later: an acridly worded official statement ending with a nicely vague hint that Moscow might build a neutron warhead of its own.

The cast of characters, officials suggested, had been small: principally Mikhail Zimyanin (a member of the Secretariat, and former editor of Pravda) and Leonid Zamyatin (head of the Central Committee's international information department, and former director of Tass).

The task required relatively little consultation, one official said. After all, Jimmy Carter had moved, then retreated, on the neutron weapon issue during his term in the White House.

"Our position was already formed, in large part," the official said. What remained, he suggested, was to refine the script a bit—"Reaganize" it.

A few months later came a trickier challenge: A Soviet submarine faltered in a restricted area of Swedish coastal waters. That was bad enough. But the Swedes said the vessel appeared to be carrying nuclear weapons—a particularly unwelcome charge at a time when Moscow was pushing for a "nuclear-free zone" in northern Europe.

Officials here would give no details on how the Soviet policy machine handled the sub's mishap, but did outline the pattern of

response to similar foreign policy problems. Other actors come into play:

In addition to virtually automatic participants like Foreign Minister Andrei Gromyko and various other Politburo and Secretariat-level figures, one official said, "The response [to more urgent questions] typically involves reports from the relevant embassy, from the [Soviet] press there, maybe from the KGB, and, if their is a military aspect, from military intelligence. . . . Also there may be a meeting of the Defense Council." (The existence of this senior military group was first revealed in 1976, when the Soviet press offhandedly mentioned Mr. Brezhnev as its chairman.)

Conspicuously absent from this blueprint are what Western analysts often call the Soviets' "foreign policy specialists": academics or writers like Georgi Arbatov, head of Moscow's Institute of the United States and Canada, or Izvestia commentator Alexander Bovin. Their influence began in the late Khrushchev years and widened after Mr. Brezhnev took over.

One official recounts that "various" specialists, "Bovin and Arbatov among them, began to work, at first somewhat informally, later formally" with the Secretariat and its apparatus. Through the 1970's the role of such specialists has continued to matter, officials suggest, but its nature has gradually changed.

Mr. Bovin's own (good-natured) characterization of the change—"Back then, I gave my opinion even when no one asked, now I give it when they ask me"—is exaggerated, other officials say.

He, Mr. Arbatov, and various fellow "specialists" are said to retain frequent enough contact with men of at least Secretariat level to make an important contribution to the policy machine, asked or unasked. Besides, officials say, they are asked. The distinction is that more of their contribution is now apt to be "of a longer-range nature," as one official put it, "not necessarily, for instance, on how to answer such-and-such diplomatic note."

The issues may range from arms talks to Mideast policy. Both Arbatov and Bovin said that, typically, they are asked for their written assessment—often by the Secretariat, sometimes by the Foreign Ministry. In some instances, other officials said, the foreign policy specialists are invited to Secretariat or Politburo sessions, or are called on by individual members of either group.

Men like Arbatov and Bovin also participate in preparation of some foreign policy statements by Soviet leaders, officials said. Such specialists were among those who helped prepare the foreign affairs portion of Brezhnev's keynote address to last year's Communist Party congress.

When Reagan announced economic sanctions against the Soviets late last year, Arbatov wrote a commentary for Pravda. Bovin wrote a piece in Izvestia. Neither seems to have been summoned for urgent policy consultation. Bovin, at least, says he was not. Arbatov, who had been scheduled to go on vacation at the time, did so.

On the domestic front—at least on the economic front—policymaking typically moves more slowly. Both the economic crisis and the pattern for dealing with it have become something very close to institutions in recent years.

Policy "input" is enormous, almost constant. Policy output, officials say, is in large part a function of bargaining among actors like Gosplan (the gargantuan state planning organization), government ministries, and

party officials; or among competing regions and economic sectors.

The scientific community plays an increasingly important role, the officials said. So do other, not strictly economic, groups: for example, the youth organization of the Communist Party, whose say stems largely from the importance of young work brigades in key economic projects.

Much more rarely on the domestic front than in foreign policy does the Soviet decisionmaking machine have to cope with the equivalent of an errant submarine.

(Perhaps partly from lack of practice, the machine seems to have flubbed a recent exception: Dr. Sakharov's hunger strike in appeal for an exit visa for his daughter-in-law. The initial decision, as officials tell it, was to stand tough. Yet as Dr. Sakharov kept fasting, as the Western press kept writing about him, and as Western scientists began shouting at Moscow, the men at the top rethought things. One official said Anatoli Alexandrov, head of the Academy of Sciences, was a key voice for compromise. "He and others did not want the death of Sakharov on the Soviet Union's shoulders," Moscow, in the end, give in.)

More typical of domestic policymaking was Mr. Brezhnev's late 1980 call for a novel "food program" to deal with a not-so-novel problem: a growing shortage of meat and dairy products on Soviet store counters. The groundwork, and bargaining, quickly got into full swing.

By the time of the party congress in early 1981 (they are held every five years), Alexei Smirnov, head of a nationwide system of food cooperatives and a man with ministerial rank in the Soviet government, says that his group "had already calculated we would provide an increase of 15 percent [in food supplies] in the current five-year plan."

By July, he had done some new figuring: "After working this out with our regional contacts, we decided we could provide an increase of 25 percent—assuming we get some help from the state in increasing equipment and transport capacity for some farming enterprises. . . ."

"The food program will surely be announced at the fall [1981] plenum of the Central Committee, in conjunction with next year's economic plan," Mr. Smirnov said.

It wasn't. Mr. Brezhnev told the plenum, in effect, that work on drawing up the program was continuing and that the full package would be offered at a later committee session. (Meanwhile, officials said, some aspects of the program—like a shift of agricultural resources from wheat to more appropriate livestock feedgrains—were being carried out piecemeal.)

The bargaining may, in any case, continue even after a food program is announced. Last year, the Secretariat and the Soviet government published guidelines for shoring up another problem area: coal mining. Shortly afterward a follow-up meeting (organized by the Secretariat, one senior official said) was held in Moscow. Among the participants listed in Pravda were senior government ministers, two members of the Secretariat, and various regional and local representatives. Boris Pastukhov, head of the party youth organization, was not mentioned in Pravda, but he was at the meeting:

"Various speakers were exclaiming, 'The youth will do this, the youth will do that.' I said, 'The living conditions [for young miners] are still far from good. There is no [activities] club, for instance. . . . Until you

meet these demands on our part, you will not get young workers."

Yet whether the issue is coal or neutron weapons, whether you are Boris Pastukhov or Leonid Zamyatin, not all those with input and influence in the Soviet system are created equal.

For a foreign reporter, charting an individual's precise place in the policy hierarchy can be roughly akin to counting angels on a pin. Still, hints of the intricate dividing lines do come across in interviews with various officials:

Pastukhov, for instance, said he quite often attended Politburo and Secretariat sessions. But when asked why "Komsomol [the party youth wing], or you, don't have a formal place on the Politburo," he did suggest the distinction mattered.

His first, chuckling reply was: "Well, maybe if you put in a good word for us. . . ." Then, more seriously, he said "this highest echelon" of leadership required vast experience. He in effect said he saw Mikhail Gorbachev, the youngest Politburo member and a onetime regional leader in Komsomol, as speaking for the group at "the highest echelon."

Mikhail Nenashev, editor of the newspaper *Sovetskaya Rossiya*, regularly attends Secretariat sessions, although he is not formally a member. He participates in discussions which, with protocol minimal and formal votes rare, constitute much of the Secretariat's work. Yet in some functions, he suggested, he had less influence than official members of the group: either when "things are rejected from the start, or [it is decided to have them] moved to the Politburo for further discussion."

Or, there is Leonid Zamyatin, the department chief said to have helped frame the Soviet statement on the neutron weapon. Alexander Bovin lists Mr. Zamyatin, who also acts as press spokesman on President Brezhnev's trips abroad, as of those who "can give advice even when not asked."

Yet when I asked a senior official whether Zamyatin might therefore be called the coordinator of foreign policy input for the Secretariat, the man replied: "No, not really. Remember, he is not a member of the Secretariat."

(A glimpse of the hierarchy was offered in talks last year between the visiting Canadian agriculture minister and Soviet officials. At one session Mikhail Gorbachev, and agricultural specialist who is a member of both Politburo and Secretariat, was joined by the Soviet agriculture minister and the head of the Central Committee's agriculture department. Gorbachev is said to have done "literally" all the talking for the Soviet side.)

Here as elsewhere, access to men at the top cannot help but influence policy for those further down the hierarchy. Given the degree of power vested in the Politburo and Secretariat, access is especially important.

Though it is sometimes hard to confirm officials' portrayal of their own access or lack of it, two interviews did provide a hint of the intricate pecking order: Yuri Zhukov, a veteran Pravda commentator, remarked shortly after last year's meeting between Foreign Minister Gromyko and US Secretary of State Alexander M. Haig Jr.: "Well, I haven't seen Gromyko yet. He is still in the US. . . ."

Later, Alexander Chakovsky, editor of the newspaper *Literaturnaya Gazeta*, offered me help in arranging interviews with other officials: "I can't help with the Gromyko level, of course. . . . But on the Zamyatin level, I'd be glad to."

Another editor, Vasily Golubev of the newspaper *Sotsialisticheskaya Industriya* (Socialist Industry), showed me a roughly 20-page report he had sent the Secretariat summarizing comments from various workers, executives, engineers, and scientists on the current economic plan. This, he said, was one form of policy input. But as if to say the real requisite was "access," he added: "I know Dolgikh," referring to the member of the Secretariat specializing in industrial issues.

At times, the drop-off between those with "access" and those without it can be abrupt: After Mr. Reagan's neutron weapon decision, I talked with Nikolai Novikov, a deputy chief editor of *Izvestia*. (His boss, like the editors of *Pravda* and *Sovetskaya Rossiya*, attends regular Secretariat meetings. The *Pravda* editor, in an interview, had earlier demonstrated rather detailed familiarity with another military question, which led me to believe Mr. Novikov might conceivably be helpful.) Mr. Novikov indeed addressed the neutron issue—hinting ominously at Soviet plans to build a similar weapon.

Later, I asked a Central Committee member about this. He replied, not unkindly: "Well, Novikov wouldn't be in a position to know anyway. That's for sure."

WHO PULLS THE LEVERS OF POWER IN THE SOVIET MACHINE (By Ned Temko)

Moscow.—Mikhail Fedorovich Nenashev is something of a Soviet socialist Clark Kent/Superman.

He is a softspoken newspaper editor few Russians, and fewer Westerners, have heard of. Yet for about 90 minutes each week he lays aside his red pencil—and helps run the Soviet Union.

His name is not on any official leadership list. Still, the slight, bespectacled Mr. Nenashev takes part in the meetings of a group second in policymaking power only to the Soviet Politburo: the Secretariat of the Communist Party's Central Committee.

There is another strange thing about Mr. Nenashev (who edits *Sovetskaya Rossiya*, the official organ of the Russian Republic). Within the full, 468-member Central Committee, he is only a "candidate," or nonvoting, member. That means, officials suggest, a little less prestige but not necessarily any less influence.

Mr. Nenashev, at 55, is young by Soviet political standards. He hasn't been editor of *Sovetskaya Rossiya* and an "unlisted" participant in Secretariat meetings for all that long.

Meanwhile, behind the traditionally closed doors of the committee's twice-yearly sessions, it may not matter much, in practical terms, whether you have a vote or not. . . .

There was, for instance, the "Nixon question." The time was 1972, back when U.S. officials spoke of détente in the present tense. Richard Nixon had jointly broken stride in his run-up to a Moscow summit: to announce the mining of North Vietnamese ports. The Soviets, it was thought, might cancel the summit. Just three days before Mr. Nixon was due here, the full Central Committee met in special session:

"The decision to receive Nixon had already been taken," relates one senior official. "The Politburo called the meeting, for another reason: to explain why the decision had been made. Comrade Brezhnev did this. Then he announced he would protest the American action, in the committee's name,

to Nixon. . . . No one spoke against the decision."

What follows is an attempt to assemble an insiders' guide to the policymaking machine Leonid Brezhnev, now in his mid 70s, will hand over to whoever comes after. It is an effort to unravel the present, not predict the future.

It is largely the story of three senior Communist Party bodies that work, for all practical purposes, in secret: the Politburo, the Secretariat, and the full Central Committee. Other individuals, other institutions, influence decisions—a subject for the next article in this series.

Yet by Soviet law and party rules, these three groups direct the nation's policy. And they do, senior officials say. . . only not quite as advertised.

On paper, it should all be quite simple. The party Central Committee (318 full members and 150 "candidates") determines basic policy lines, between infrequently held national congresses. It then "elects" two other bodies to do the day-to-day work. The Politburo (13 full members and eight candidates) is top dog. The committee Secretariat (nine members ensures that what the Politburo decides gets done.

Yet then come the disconcerting puzzle pieces offered, sometimes almost offhandedly, by officials who have participated in the work of the three party bodies:

The Politburo, though genuinely the top power, is not always the most important actor in policy decisions.

The Secretariat does much more than dispose what the Politburo proposes. It is a more powerful policy body than its official brief suggests. On occasion, the two top groups meet as one. (The party rules do suggest substantial autonomy for the Secretariat in one very important area: appointment of "cadres." Officials confirm this role and note it applies to positions both inside and beyond party organizations.)

The official membership lists of both groups can be a handy guide to who actually attends their regular, generally weekly, sessions. (This applies not only to men like Mikhail Nenashev, but also to men like Leonid Brezhnev.)

The Brezhnev Central Committee can sometimes influence, as opposed to make, policy, but not all policy, equally. The full committee does not, as a rule, meddle in questions of foreign relations.

"The day-to-day [power] relationships," began one Central Committee member who has attended Politburo and Secretariat meetings, "are not perfectly predictable. . . even though some of us like to explain how it is all wonderfully logical."

But the model this and other officials tended to settle on involved an "interlocking" policy directorate of sorts. The Politburo and Secretariat do the interlocking. "Don't forget," said one official, "five men are members of both." (They include Mr. Brezhnev, the two men most often tipped by diplomats as likely successors, and the youngest man on either body, agricultural specialist Mikhail Gorbachev.)

The easiest place to start a search for how the Soviet policy machine works is, officials suggested, in the Secretariat.

It generally meets once a week, officials said. (They said the same went, as a rule, for the Politburo, but it occasionally meets less frequently.) Sometimes the session is at Central Committee headquarters, other times it is in the Kremlin. Wallet photographs of the group's nine official Members

aren't likely to help the uninvited interloper identify the players.

Leonid Brezhnev, party general secretary, is the official chairman. But he is "not necessarily" there. Several officials suggested he was often absent and said Politburo ideological authority Mikhail Suslov then ran the show before he passed on in January.

When neither he nor Mr. Brezhnev attended, officials said, the chair went to Andrei Kirilenko or Konstantin Chernenko, the two men Western analysts consider frontrunners to succeed Brezhnev as party chief. Sovetskaya Rossiya editor Nenashev, Pravda chief Victor Afanasyev and Izvestia editor Pyotr Alexeyev are invited to the weekly sessions. Mr. Afanasyev says Sergei Lapin, head of the state broadcasting authority, also attends.

"They do not only attend, but participate in the discussions," a colleague said. (Since discussion takes up much of the Secretariat's work, men like Afanasyev and Nenashev amount to something very close to full members—but not quite, as the next article in this series suggests.)

Directors of various of the Central Committee's roughly 20 specialized policy "departments"—really Secretariat departments—also attend regularly. "And other people, from outside, are called in according to the particular issue or issues being discussed."

Some end up at Secretariat sessions almost as frequently as Afanasyev and Nenashev. Two, in particular, were mentioned: party youth leader Boris Pastukhov, and the head of the Soviet Academy of Sciences, Anatoli Alexandrov.

Six other officials, among those interviewed, said they had taken part in Secretariat meetings: U.S. affairs expert Georgi Arbatov, Izvestia commentator Alexander Bovin, Socialist Industry editor Vasily Golubev, Kommunist editor Richard Kosolapov, consumer cooperative director Alexei Smirnov, and publishing committee chief Boris Stukalin.

Protocol, in the Soviet system, is inversely proportional to power. And protocol, in Secretariat sessions, is at a minimum. (Politburo meetings tend to be smaller, and even less formal.) "No one [at the Secretariat] really asks for the floor, in any formal manner," said one official. "Suslov or Brezhnev, or whoever, just looks around. You raise your hand and you can speak." The pace is brisk.

The agenda is crowded, often with matters of everyday policy direction that would seem, to the outsider, less than momentous. "Some decisions can be made at lower levels," one official complains. "But there is a reluctance to take responsibility. . . ." Still, the meetings generally last only about 90 minutes, according to Mr. Nenashev. "Most of the work is done outside these meetings, within the [specialized departments and] apparatus."

And "most of the work" for the Politburo can, in many cases, be done in the Secretariat. It is here that the business of "interlocking" gets more complex, and the role of individual actors and groups more unpredictable.

In the end, the Politburo takes precedence. This is particularly true, officials said, in two areas: foreign policy and "major departures, or new policies," on the home front. As it happens, there have been precious few issues of the second variety in the more recent years of the Brezhnev era. Soviet officials did not say this. But the phenomenon may help explain something they did say: In practice, the dividing line

between the provinces of Politburo and Secretariat can often be blurry.

"The Secretariat frames policy decisions," is how one senior official put it. "By the time an issue reaches the Politburo, the framework for the decision is usually already there."

This can apply even to foreign policy issues—where the Secretariat is said to "coordinate" and "organize" information and analysis from various sources. Yet it is particularly true for domestic questions. On a good number of such questions, especially those involving nuts-and-bolts direction for running the country, the Secretariat was said to make the decisions itself.

One official who has attended Secretariat and Politburo sessions pointed out that, theoretically, "The Secretariat does not have competence in areas of state, as opposed to party, fundings and expenditure. Moreover, in the party hierarchy, the Secretariat cannot give directives to the government, while the Politburo can. . . ."

"Thus, a number of economic questions must technically be decided by the Politburo," he said. But he added: "Even on some decisions that fall in this category, the Secretariat will, in effect, work everything out and pass it up to the Politburo just to be looked at."

This the Politburo does—at a large table in a room next to Mr. Brezhnev's Kremlin office. Here, the ultimate decisionmaking prerogative rests. And here, again, an official score card won't necessarily do the interloper much good.

Mr. Brezhnev, officials say, is "generally" at Politburo sessions when in Moscow. So are others in the group who are based in the capital. But seven members are prominent party men from outside. They do not necessarily attend unless an issue relating to their areas is being discussed.

This, said one senior official, even applied to the Leningrad party leader, Grigori Romanov, whom diplomats sometimes mention as a dark-horse contender to succeed Mr. Brezhnev.

"The opinions of those who do not attend are often sought by phone," said another official.

Like the Secretariat, the Politburo sometimes invites outsiders to its meetings. (Again, Pastukhov and Alexandrov are frequent visitors. And again, various other officials among those interviewed had attended Politburo sessions.) But more often than the Secretariat, the senior body will get its outside input in written form.

"Candidate" members talk but can't vote. As it happens, there often isn't a formal vote anyway. "Usually when I've been there," remarked one official, "the chairman will say, 'OK, my understanding is that the proposal is to do such-and-such. Any objections?' And that's that." (Officials suggested the full members do, as a rule, carry more weight than the candidates, but the equation is imperfect. They indicated that a man like Boris Ponomarev—a candidate member of the Politburo but also part of the Secretariat—wielded greater practical policy influence than some full Politburo members from outside Moscow.)

More often in the Politburo than at Secretariat meetings, the focus is on foreign policy issues. Foreign Minister Andrei Gromyko, a member of the Politburo but not of the Secretariat, "reports periodically," said one Soviet foreign policy analyst. "Naturally, the Politburo thoroughly considers his assessment of all initiatives."

And "sometimes," another official adds, "the Politburo may decide to raise an issue

before the full Central Committee." This third component in the policy machine has, in theory, considerable power—if only because it "elects" the Politburo and Secretariat. (In the late 1950s Nikita Khrushchev once marshalled support on the committee to foil a bid by Politburo colleagues to oust him.) Yet in specific policy decisions, the Central Committee has clearly come to play a junior role.

The Central Committee membership list reads like a Who's Who of prominent communists, yet it generally meets only twice a year. In addition to the topmost political and military figures, it includes people like filmmaker Lev Kulidzhanov and former cosmonaut Valentina Nikolayeva-Tereshkova. Unsurprisingly, interviews with 15 committee members made clear, the group debates more than decides policy issues.

There is protocol. At the end of discussion, an issue in either deferred for further study or put to a vote. In recent years, members say, all votes have been unanimous.

"I don't see a lot of difference between my position as a candidate member and a full member," remarked an official who has been both, "except for prestige."

Yet the debate can sometimes be sharp. And members say the committee does exert a measure of influence in at least one policy area: economic planning. The committee includes, after all, effective representatives of various regions, interest groups, sectors of the economy, professions.

"There is some hot discussion," a committee member said. "For instance, if you try to get a certain republic, or ministry, or plant, to increase or change its contribution, . . . it is a bargaining process from beginning to end."

Beyond this, the group can play another policy, as opposed to "policymaking," role: a kind of sounding board for various decisions. This, members suggested, explains the 1972 session on the "Nixon question."

Similarly, Mr. Brezhnev said recently that the committee would devote a coming session to a "food program" that has been laboriously, and still incompletely, pieced together over the past 15 months. As on the state's yearly economic plan, members suggest, some hot "bargaining" is conceivable.

On foreign policy issues—whether Richard Nixon or Poland or Afghanistan—the committee is much less apt to bargain. One reason is straightforward: "Many of the people," one member said, "are not from the foreign policy side, so they can't speak with great authority." Individual committee members can and do influence foreign policy moves, but generally by virtue of their roles outside committee sessions.

No full committee meeting was called, members said, before Soviet troops intervened in Afghanistan at the end of 1979. Nor, they said, was the committee convened for dispatch of an angry letter last June (in the committee's name) to Poland's beleaguered communist leadership.

The initiative came from the top. (One senior official said flatly it originated in the Secretariat; another said it should be "assumed" it came from the Politburo.) The Secretariat, various officials agreed, handled the task of drafting the note. It was, the officials said, "shown" to all committee members.

THE NEXT KREMLIN GENERATION: CRISIS MANAGERS AS MUCH AS COMMUNISTS

(By Ned Temko)

Moscow.—In central Moscow, if you take Marx-and-Engels Street to the end, you will find a dimly lit office distinguished by lofty ceilings and an enormous bust of Karl Marx.

The room belongs to Richard Kosolapov, the quiet, articulate editor of *Kommunist*, the Soviet Communist Party's ideological journal. Asked about Poland (two days after the imposition of martial law), he replies:

"It is not possible for Polish leaders to bypass Solidarity. . . . Undoubtedly, there will have to be a dialogue, an intensive, effective dialogue. . . ."

The "transition" from the era of Leonid Brezhnev to whoever and whatever follows has, in a sense, already begun.

Younger men—like *Kommunist*'s Richard Kosolapov, Pravda editor Viktor Afanasyev, or Mikhail Nenashev of *Sovetskaya Rossiya*—have moved into positions of "access" and influence within the policy machine. ("Younger," by Soviet political standards, means men between 50 and 60 years old—some 15 to 25 years less than men like Mr. Brezhnev.)

The older men may have changed a bit, too. They did not roll tanks into Poland when many in the West said they would. A few weeks back, I asked a younger Central Committee member why.

"Everyone on the Politburo," he said, "knew there were some problems tanks wouldn't solve. . . . They realized such a step should be avoided under any—almost any, I should say—circumstances."

A few days later I asked another of the younger men, foreign policy analyst Alexander Bovin, about the "gradual normalization" the official Soviet news media were detecting in Poland:

"Normalization? Yes, in about five years, maybe. . . . We cannot speak of normalization. The issue, in the shorter run, is canceling martial law. It will gradually change in color. Some aspects will remain, others will be changed. . . . At least, this is how I see things."

Only a fool would venture precise predictions on the men who will lead the Soviet Union when Leonid Brezhnev is gone. Only a greater fool would presume they will necessarily be men like Alexander Bovin or Richard Kosolapov—strikingly (to the outsider) more articulate, sophisticated, open, and self-confident than the typical older official. With others of roughly the same age group (Mr. Afanasyev, for instance, or party youth leader Boris Pastukhov) the impression comes over less strongly.

And whether such officials who are now in the younger generation will rule differently when they eventually reach the top remains to be seen. Yet they do often seem to think—or at least talk and act—differently, with two marked exceptions:

They seem in most cases to share with much older officials a sense of national, as opposed to personal, insecurity. It is the sense that their nation remains an acutely vulnerable superpower, not fully accepted by the United States as a member of the club, and beset by problems at home and abroad. The economy is not working right. And beyond Soviet borders lie real or potential sources of trouble: Poland . . . and upheaval in Iran . . . and Afghanistan . . . and China . . . and (in the longer run, suggested one official interviewed) Japan.

Officials of both generations projected a starkly bipolar vision of the way the world

should be: Two superpowers, Soviet and American, should in effect run things. That, after all, is the point of being a superpower. They should help each other out, respect each other.

This arrangement, in Soviet eyes, presupposes that what Moscow does to its dissidents, for instance, is Moscow's business. (Older officials interviewed were much more likely to address this subject, yet the younger ones who mentioned it plainly shared their view.) On international issues, "respect" would cover a Soviet sphere of influence, or legitimate concern, deemed to embrace Afghanistan as surely as Poland. Also, Iran and other bits of the Mideast.

But can the world really run this way? Does it? And what can the Soviet Union do about all this?

Yuri Zhukov, Pravda political commentator and party Central Committee member, has written newspaper copy of equal distinction under Josef Stalin, Nikita Khrushchev, and Leonid Brezhnev. ("Stalin . . . I mean Brezhnev," he began one sentence in the second of our interviews.) He is an incisively articulate man, a file cabinet on the ups and downs of superpower relations, yet he prefers speechifying to conversation. Still, he did open up considerably as time went on. So I asked about Afghanistan:

"Suffice it for Reagan to tell [Pakistani leader] Zia to sit down with Babrak Karmal," was the sharp, unhesitating response.

Izvestia foreign policy analyst Alexander Bovin—a man who offers analysis not only to his readers, but also at times to the men who rule the Soviet Union—speaks with more nuance. When Israeli jets struck an Iraqi nuclear reactor last year, the Soviet media held Washington responsible.

Mr. Bovin, too, said US support for the Israelis had "created the conditions" for such an attack. But he added: "Personally, I can conceive that Reagan or Haig might have been against the attack . . . or against the [earlier] Israeli strike on populated sectors of Beirut. I think Israel is really starting to get out of control, presenting the US with a problem."

No official interviewed suggested it was time to shelve superpower "détente"—that would constitute a departure from unwritten rules of behavior that would be somewhat akin to calling Brezhnev a tired old man. Yet there were occasional hints, nonetheless, of a difference in outlook between old and younger.

I asked everyone, for instance, whether Soviet policy might be affected by the fact that younger people had not endured the horrors of world war. The typical reply from younger officials was: No, hatred of war is an irrevocable part of our national psyche.

Septuagenarian Alexei Romanov took the question differently, replying: "If the nation faces any danger, it will unite the people. All of them . . . I am confident youth today is very patriotic . . . strong, and tough."

Alexander Chakovskiy, editor of the newspaper *Literaturnaya Gazeta*, literally read a typewritten text at me during our "interview." He alternated condemnation of the US with a call for negotiation and "détente," then digressed near the end.

Obviously, he said, Ronald Reagan was trying to force Moscow to spend money on guns and not butter. "But we are not afraid of any difficulties. We know how to overcome them. If need be, we can subsist on brown bread and potatoes, but we will never compromise our security." He added: "We

will never put up with any imbalance in the sphere of armaments. What we stand for is full equality in this respect."

Another of the older men interviewed ventured that Soviet soldiers could do better in tougher conditions than American soldiers.

He was among those who quite happily took on the issue of Soviet dissidence. He mentioned an official Soviet committee on compliance with the Helsinki Accords. This group, he said, monitored compliance only in the Soviet Union. "But the Americans are concerned with compliance in our country." The man chuckled, as if to emphasize the audacity, the very ludicrousness of such a scheme, and then added, more seriously: "We regard this as a violation of our sovereignty."

Interestingly, it is the younger men among the ranking officials interviewed who have come to play a more direct role in the policymaking process. (Perhaps less surprisingly, it is younger men—as opposed to younger women—who matter most. I interviewed the highest-ranking women in the country. If any of them play a major policy role, they hid this fact expertly.)

These "younger men" are not a single group. Background matters. Boris Pastukhov, the party youth leader, has spent his entire career in that group's ranks, picking up an engineering degree (1958) along the way. He talks a lot more like his elders than do men like Alexander Bovin.

Mr. Bovin's background—and those of Mr. Kosolapov and US-affairs analyst Georgi Arbatov—are different. These men got a nontechnical education, then were seconded as experts or consultants to the Central Committee Secretariat. They speak, in some cases, more like crisis managers than Communists. (Oddly, it is ideology that often seems to puzzle Soviet officials most about Ronald Reagan. . . .)

Alexander Bovin is intelligent, irreverent, irrepressibly good natured. Sitting in his seventh-floor office, his corpulent frame imperfectly restrained by suspenders, he looks vaguely like the late Zero Mostel. "Diplomacy is something of a game," he says in one of five lengthy conversations. On one wall of his office is a poster from the US Military Academy at West Point. ("An American gave it to me.") On another is a poster from Israel. ("I got it when I was in Tel Aviv.")

"There is something in common between Reagan's policy and [Ayatollah Ruhollah] Khomeini's," he said at one point last year. "Reagan is looking for answers in the 19th century. Khomeini is looking in the 7th century. . . . Both want to escape from our epoch. . . ."

"You have your game," he said three weeks ago—after the latest dip in the roller coaster of superpower relations. "We understand the reasons. . . . and on some specific issues, like Poland, we tell you to go to hell. . . ."

The Soviet strategy now, he says, is to "wait."

Echoing, indeed outdoing, public remarks from Mr. Brezhnev, the Izvestia analyst dismisses as "stupid" a Reagan administration proposal for mutual cuts in European-based nuclear missiles. (The Soviet line is that Mr. Reagan is demanding "unilateral" Soviet disarmament.) Yet Mr. Bovin quickly adds that the US proposal could provide a starting point for agreement. "There should be a compromise" somewhere between the current US and Soviet stands, he says.

He terms it "without doubt encouraging" that, even after the imposition of martial law in Poland, US Secretary of State Alex-

ander Haig has not altogether stopped talking about the possibility of strategic-arms talks.

"I am positive there will be further [Soviet-American] meetings" on various issues—"a lot of them."

Mr. Bovin argues there can be no other way. "The first place must be taken by Soviet-American relations." This can be a guide for other regions, like the Middle East: "Of course, the US has vital interests there. I will acknowledge this." But "the region is much closer to Soviet borders." So if, for instance, Israel and Syria go to war, Moscow could not "stay behind a screen." The idea, he says, is to avoid war. "The US should persuade Israel. . . . We can talk to the Syrians. This is a good area for compromise."

Meanwhile, Bovin says, the Soviet Union would welcome better relations with more pro-Western Mideast parties, like Saudi Arabia or Egypt. He says progress on both these fronts will likely take time—precisely how much depending on Egypt and Saudi Arabia. With the Saudis, "There are, of course, some ideological considerations. . . . like Islam, or the Saudis' ties with America."

"But that is their business. We consider that normal. Fundamentally, between the national interests of the Soviet Union and Saudi Arabia, we see no contradiction."

These "national interests," he maintains, involve a comprehensive Mideast settlement that is "impossible without the Soviet Union."

I asked in one conversation what he thought of US suggestions that the Soviet Union might intervene in a nearer swath of Mideast soil—Iran—when Ayatollah Khomeini goes. "Such fears are premature," he said. "Until now, all conflict situations in Iran are because of the American presence [under the Shah], not a Soviet one." Then he added: "It is very important for us to have on our borders a strong, stable state . . . supporting good relations with us."

Viktor Afanasyev of Pravda has a somewhat more direct role in the policy machine. He attends regular meetings of the Secretariat.

At first glance, seated in a penthouse office in Pravda's new headquarters, he seems more like a Brooks Brothers model than a Soviet socialist politician. He is suntanned, looks younger than he is, and wears an immaculately tailored sky-blue suit. He smokes imported cigarettes, with an antitartar filter ("it's American"). And he begins with an assault on Ronald Reagan's administration. Like Bovin, one of his sharpest immediate concerns in the Middle East.

Yet the line is harder, the nuances fewer. (Perhaps only as speculation is it worth noting that he, unlike Bovin, is not a trained foreign policy man.) "With US support and connivance," says the Pravda chief, "Israel flouts international law. . . . The [US] Rapid Deployment Force is purely aggressive, directed at the Soviet Union."

"Or take Afghanistan. The US and the West don't want a solution. At one point Pakistan agreed to talks but, under US pressure, withdrew." Then, he comes to what appears the major source of his anger: the somewhat ham-handed search by US customs agents last year of diplomatic cargo on an outgoing Aeroflot jet.

"Reagan seems to have forgotten with whom he is dealing," snaps Afanasyev. "We are not El Salvador or Panama. We are a superpower, with the self-respect of a superpower."

With this out of the way, he becomes more circumspect. "We assess very positively," he says, Reagan's lifting of a Carter-era grain embargo. And about US fears in the Mideast: "If the Americans help us with our oil deposits, why should we go to the Mideast for oil?" On grain purchases from the US (this was shortly before Moscow contracted for more American grain): "I think we will buy from the US. . . . To be honest, it is much more convenient for us."

Then, unprompted, the national sense of insecurity exhibited by older officials emerged: "The time may not come soon. But eventually I think we will become even a grain exporter."

Finally I asked about Poland: "We hope the Poles themselves will decide their own problems. [The crisis manager emerges.] They have to. Nobody else will feed 36 million people."

Afanasyev's mere willingness to discuss the issue sets him apart from an earlier generation of officials. Older officials are much less likely to tell an American reporter that American grain is a help. Still the Pravda man seemed somewhat less comfortable in the give-and-take of an interview than others of the Younger officials interviewed.

A few weeks later, I had just completed an interview with Yuri Zhukov down the hall from Afanasyev's office. The chief editor happened to be near the elevator when I emerged. He turned, not quickly enough, to avoid recognition. I said hello. A little like a guilty schoolboy, he replied: "I was just out for a minute smoking a cigarette. . . ."

This sense came across much more strongly in an interview with party youth leader Pastukhov. Of all the younger men, he was the only one visibly ill at ease. He seemed to approach an interview with a Western reporter in the same way as officials much older.

He was demonstratively friendly, his taut boxer's face frequently creasing into a smile. Yet it was somehow the friendliness of a headwaiter, rehearsed and performed. When he did open up, the catalyst was, as often with Soviet officials, the question of the world war:

"My father was killed in the war," he said quietly. Yes, in some ways, kids are different nowadays. They don't feel as acutely the hardships of the war years. But that will change: "I am sure young people will do everything asked of them by party and country. . . ."

Three other younger officials interviewed—Kosolapov, Arbatov and, to a slightly lesser degree, Sovetskaya Rossiya editor Nenashev—were more at ease, often less strident, particularly on issues of foreign relations.

Nenashev began with a comment frequently heard from a variety of Soviet officials: Americans, with their election lurches every four years, challenge the crucial imperative of "continuity" in superpower relations.

"What," I asked, "should the Soviets do about this?" He replied that one imperative was "not to act in haste."

Nenashev, like the Pravda editor, attends Secretariat meetings. I saw him shortly before the Polish Communist Party's extraordinary congress last year, amid a distinct lull in Soviet media commentary on events in Poland. Why the lull, I asked.

His reply: "There is no need to pump up the [tense] situation. . . . Also our press must be careful not to interfere. . . . on the eve of the congress." He said this was because Polish "opposition" elements "are

standing somewhat expectantly" to use such a move to their political advantage.

Georgi Arbatov, like Izvestia's Alexander Bovin, is a foreign policy specialist. His is the vocabulary of Realpolitik, Soviet style. Its underlying assumption: Superpowers (read: the U.S.) should act like superpowers, not like outmoded crusaders (read: Ronald Reagan) who presume they can dictate terms to another superpower (the Soviet Union).

Take Poland, for instance. "Nobody knows how it will end. The Poles have a lot of problems, economic. . . . Internal. . . ." Before martial law some extremists "wanted a showdown, even would have welcomed Soviet intervention."

Public statements in Poland indicate a measure of continued reform is possible and suggest "this is not a move backward," he says. In this context, martial law is "by far not the worst of things that could have happened," Mr. Arbatov concludes. "No one has really serious reasons to complain."

Richard Kosolapov stands between the world of foreign policy specialist like Georgi Arbatov and Alexander Bovin and the more direct domestic policy involvement of men like Pravda's Viktor Afanasyev.

Mr. Kosolapov is a smallish man typically outfitted in a somber three-piece suit. He was once deputy head of the Secretariat's (domestic) propaganda department, then the No. 2 man at Pravda. Now he is the top man in the party's official journal of politics and ideology. He sometimes attends Secretariat sessions. When he doesn't, officials say, he is among those fully briefed on top-level discussions and decisions.

Last June, he was one of a group of Soviet editors and journalists on a fact-finding visit to Poland. He is a hard man to pigeonhole: He is equally articulate and open on foreign and domestic issues, with a vocabulary that suggests both the crisis manager and the devoted, if not didactic, communist.

Détente? "I don't even need to harp on such things as the 'mystical Russian soul,'" he says with a half smile. "The imperative is social tasks at home." Later, he says that a system of "incentives" for Soviet workers would seem another obvious prerequisite for shoring up the economy. ("In a free market, prices really do provide for efficiency. Our system is more humane, but more difficult.") The challenge: find similar economic "stimuli," not just money, but "higher-quality goods" for Soviet workers to buy with their money.

General international relations? "We see much potentially in common in the [geopolitical] interests of our country and the US, also in use of natural resources." Meanwhile, "consider the danger if a man like Idi Amin, let's say, or Pakistan got the bomb."

On Libya's Muammar Qaddafi: "One must not forget he is a fanatic Muslim, with all that implies."

Poland: Yes, there must be "intensive, effective" dialogue with Solidarity even after martial law, a search for some kind of entente. The union group "is an organization of millions of people. . . ."

"Even if the crowd is wrong, someone has to talk to it."

"Quite a lot of [Polish Communist] party members are in Solidarity," the editor of Kommunist had said in a conversation some six months earlier.

"One cannot say, at this point, whether that is necessarily a good or bad thing. . . . A process of discussion continues, within the party and within Solidarity, too."

"The system has failed in Poland," he said a little later. Then, he added: "Much is said in the West about the fact that the Soviet system failed there. . . . This is not quite true, it is the Polish system that failed."

In a further interview, Kosolapov turned again to Poland: "One mistake [by the leadership] was not paying enough attention to the Catholic Church. The Poles are religious people. The church is important. . . . And, a few months later: Yes, the situation is becoming more tense. It is almost as if some 'extremists' are sort of having fun, a kind of national masochism. . . ."

Was he referring to Solidarity as a whole? No, Solidarity, "I think, includes mostly ordinary people. . . ."

"You know," he went on, smiling slightly, "there's a joke I heard not too long ago: There are two dogs running, and they collide at the Czechoslovak-Polish border. . . . The one coming from Poland says: 'I am running in order to get something to eat.' The one from Czechoslovakia, who is a little puzzled at this, replies: 'I was running in order to bark freely.'"

"Solidarity is scared of taking economic, and other, responsibility, scared of being discredited. . . . They only destabilize, and damage, and demand. . . ."

Yet above all, Kosolapov stressed in five lengthy conversations, there must be an understanding on the part of the United States that Poland is not "the kind of issue that should be allowed to strain our relations. . . ." Ronald Reagan, he argues, must learn "the talent, the art even, of speaking with people as equals." By "people," Mr. Kosolapov clearly meant the Soviet Union. The "Reagan approach . . . well, this is not the century for such things. Distances have become so small, . . . peoples so interrelated. . . ."

On Afghanistan, the sense of superpower vulnerability surfaces anew. Had Soviet troops not intervened, he says, "the situation in Iran would be very different" for Moscow. "Our southern border would be encircled with unfriendly neighbors."

The concept, he suggests, applies much farther afield. The Soviets, for instance, have occupied since World War II a small group of islands claimed by Japan, the Kuriles. Could Moscow give in?

"No," says Kosolapov. "First, this water has become in effect an internal Soviet sea. . . . The Americans wouldn't compromise, either, in our place. Second, there is the problem of creating a precedent."

"It is like acupuncture. You have an ache in your ear and get a pin in your heel. . . . It could mean reopening [territorial] issues like Poland . . . or areas of Soviet Asia. . . ."

(On February 26, 1982, The Christian Science Monitor carried this editorial.)

INSIDE INKLINGS OF FUTURE BREZHNEVS

If Westerners harbor any hope for ultimate reform of the Soviet Union's totalitarian system, it lies in the possible difference of outlook in the new generation of Soviet leaders—those who will one day succeed the Brezhnevs and Gromykos. Outsiders watch avidly for any inkling of change. So it is interesting to note, as Monitor correspondent Ned Temko has done in his series on "Soviet insiders," that the relatively younger officials of Sovietdom (in their 50s and 60s) are more at ease with a foreign journalist, less strident, less reticent to talk frankly, more self-confident and sophisticated. That does not unlock the mystery of what policies future Soviet leaders will pursue, but it does hint at change.

What may be most instructive, however, is Mr. Temko's observation that, younger or older, those Soviet officials who hold positions of influence usually share something in common: a sense of national insecurity, a sense that the Soviet Union, for all its might, is not yet accepted by the United States as a member of the club. In the view of both generations, the two superpowers should in effect run things and respect each other's interests.

Viktor Afanasyev, editor of Pravda, voices resentment of the way US customs agents searched diplomatic cargo on an Aeroflot jet. "We are not El Salvador or Panama. We are a superpower, with the self-respect of a superpower." Richard Kosolapov, editor of the journal Kommunist, suggests that President Reagan must learn "the talent, the art even, of speaking with people as equals." Meanwhile veteran writer Alexander Chakovsky, whose generation now rules the USSR, remarks: "We will never put up with any imbalance in the sphere of armaments. What we stand for is full equality in this respect."

This is no case for accepting Moscow's distorted bipolar view of the world. Nor for hesitating to criticize the Soviet Union, or to stand up to it with all the moral, political, and military force needed to defend the West's interests. Far from it. It is, however, a reminder that, in dealing with an adversary, taking account of the impulses of national character is no less important than counting missiles and tanks. It is just possible that a little more sensitivity in Washington to the pride of the Soviet Union, to its determination to be treated as an equal in the world, and a little less of what George Kennan calls the "systematic dehumanization" of Soviet leaders might go far toward putting relations back on track.

SOVIET OFFICIALS INTERVIEWED FOR THIS SERIES

CENTRAL COMMITTEE MEMBERS

Afanasyev, Viktor Grigorevich: Editor in chief, Pravda, Board chairman of USSR Union of Journalists. Born 1922.

Arbatov, Georgi Arkadyevich: Director, Institute of the US and Canada, Member USSR Academy of Sciences. 1923.

Biryukova, Mrs. Alexandra Pavlovna: Secretary, All-Union Central Council of Trade Unions. 1929.

Chakovsky, Alexander Borisovich: Novelist. Editor in chief of newspaper Literaturnaya Gazeta. Board secretary, USSR Union of Writers. 1913.

Gonchar, Alexander Zarentevich: Novelist. Board secretary of USSR Union of Writers. Chairman, Ukrainian Republic Committee for Defense of Peace. 1918.

Kosolapov, Richard Ivanovich: Editor in chief of Kommunist. 1930.

Kruglova, Mrs. Zinaida Mikhailovna: Chairman of Presidium of Union of Soviet Societies for Friendship and Cultural Relations With Foreign Countries. 1923.

Kulidzhanov, Lev Alexandrovich: First secretary, USSR Union of Cinematographers. Producer at the M. Gorky Central Cinema Studio for Children's Films. 1924.

Nenashev, Mikhail Fedorovich: Editor in chief of Sovetskaya Rossiya. 1929.

Nikolayeva-Tereshkova, Mrs. Valentina Vladimirovna: Former cosmonaut. Chairman, Soviet Women's Committee. Member of Presidium of USSR Supreme Soviet. 1937.

Pastukhov, Boris Nikolayevich: First secretary, Central Committee of Komsomol. Member of Presidium of USSR Supreme Soviet. 1933.

Romanov, Alexei Vladimirovich: Editor in chief of party Central Committee newspaper Sovetskaya Kultura. 1908.

Smirnov, Alexei Alexeyevich: Board chairman, USSR Central Union of Consumer Cooperatives. 1921.

Stukalin, Boris Ivanovich: Chairman, USSR State Committee for Publishing Houses, Printing Plants, and the Book Trade. Member USSR Council of Ministers. 1923.

Zhukov, Georgi Alexandrovich: Political commentator, Pravda. 1908.

CENTRAL AUDITING COMMISSION

Bovin, Alexander Yevgenevich: Political commentator, Izvestia. 1930.

Fedulova, Mrs. Alevtina Vasilievna: Secretary, Central Committee Komsomol. Chairman, Central Council of Pioneer Organization. 1940.

Golubev, Vasily Nikolayevich: Editor in chief of party Central Committee newspaper Sotsialisticheskaya Industriya. 1913.

LIFE OF THE PARTY: THE STORY OF BEATRICE

Mr. CRANSTON. Mr. President, I would like to make special mention of a very worthwhile new television movie, "Life of the Party: The Story of Beatrice." It was produced by Columbia Pictures Television in association with Welch/Welch Productions and will be aired this Wednesday at 9 p.m. on CBS. "The Story of Beatrice," directed by Lamont Johnson and written by Mitzi Welch, is based on the true story of Beatrice Jorgensen, a woman who, after winning a long and difficult battle with alcoholism, dedicated her life to helping other women suffering from the same affliction.

The film outlines her life from her problems with alcohol and the heartache it causes her and her family, to her recovery with the help of Alcoholics Anonymous. Her recovery leads her to recognize the lack of services available to help women with drinking problems, and through her dedication and devotion to her cause, she overcomes the many obstacles to establish Friendly House, the first recovery house in the Nation for women alcoholics. Run entirely on private donations, Friendly House opened in Los Angeles on February 28, 1951. Since its opening, over 10,000 women have passed through its doors, the majority of whom have been successfully helped on the road to recovery.

"The Story of Beatrice" is much more than good entertainment. It is an important education for everyone about the tragedies of alcoholism and the need for better understanding of this affliction and how to treat its victims. Alcoholism and alcohol abuse are among our most serious health problems and reports show that the incidence is increasing. The most tragic aspect is the growing misuse of alcohol by young people.

There are an estimated 12 million alcoholics and problem drinkers in the

United States. In terms of economic costs and individuals affected, alcoholism is one of America's top four health problems and touches almost everyone in some way. Alcoholism and alcohol abuse are violent and expensive problems for our country. Alcohol is estimated to be involved in over half of all traffic deaths, in more than 66 percent of all homicides, 50 percent of all rapes, up to 70 percent of all cases of assaults and child molesting, and 80 percent of all suicides in this country. Alcoholism and alcohol abuse are indicated in over one-third of general hospital admissions each year and consume billions of dollars of the Nation's health bill. They also represent a major problem in our work force. The National Council on Alcoholism estimates that 1 out of every 20 American workers is an alcoholic. Alcoholism is responsible for much absenteeism and low-quality work and many industrial accidents.

Mr. President, I would like to join with the people of Los Angeles, Columbia Pictures Television, Welch/Welch Productions, and many others on September 29 in honoring Beatrice Jorgensen for her courageous efforts and dedication in helping other women conquer their alcoholism and to bringing to the public's attention the need to provide effective alcohol treatment programs for women.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The assistant majority leader is recognized.

Mr. STEVENS. I thank the Chair. I understand I have time left in the leader's time, is that correct?

The PRESIDING OFFICER. The Senator could use the leader's time which he mentioned or use morning business time.

Mr. STEVENS. I thank the Chair.

EUROPEAN TROOP LEVELS

Mr. STEVENS. Mr. President, Members of the Senate who have been following the efforts of the Appropriations Committee to produce a defense funding bill for the coming fiscal year are aware of the extreme difficulties we confronted in our efforts to honor the spending reductions Congress imposed through the budget process. This was a reduction agreed to not only by the Congress but by the administration.

When it became evident to me that the Defense Appropriations Subcommittee was being opposed nearly every

step of the way by the Defense Department and by some Members of the Senate itself, I called a halt to our markup. I told the Secretary of Defense that I would not proceed with a markup until I had assurances of reasonable cooperation from the Pentagon.

There seems to be some area of disagreement over just what defense reduction the administration accepted at the windup of our work on the budget resolution. There is no doubt in my mind that the Director of the Office of Management and Budget knows full well that the total reduction amounted to the \$8.5 billion assumed in the budget resolution allocations. Nonetheless, I was willing to accept a compromise approach to the savings target by deferring \$1.2 billion of the reductions related to pay absorption until next year, when we consider the supplemental appropriations request.

I was pleased that the Department of Defense did come forward and assist us to work on the bill, so that the bill could be reported, first to the full committee and then to the Senate.

We did reach a compromise agreement which included assurances of cooperation that are required from the Defense Department, and the subcommittee proceeded with its markup, and the original Senate bill for fiscal year 1983 defense appropriations is before the Senate today.

Since then, Mr. President, I have learned that Defense Department officials are again working actively against features of the committee's bill. The main target, I understand, is the committee's recommended U.S. troop levels in Europe. There may be a concerted effort as early as tomorrow, with the active assistance of the Pentagon, to overturn that recommendation.

We have an unusual legislative situation surrounding the defense bill this year, Mr. President, because the House Appropriations Committee has not yet marked up on a 1983 bill and probably will not before we recess for the election. That means that the Senate-reported bill will be the only reflection of congressional intent on defense spending levels when we take up the continuing resolution tomorrow. It is my hope the Senate-reported bill will, indeed, become the interim funding level, with certain exceptions, if it does become necessary to operate the Defense Department on a continuing resolution for any length of time.

My efforts to date in this regard have been only in the interest of securing a reasonable funding level for defense, and that is why I particularly resent anyone in the Department supporting an effort to undermine the committee bill.

Mr. President, I have no defense procurement area for my State. This bill does not affect me in any way, other

than as a citizen from a State that does have some military bases. But in this bill there is no "pork"—if that is the right word to use—that affects my State. Neither does this troop issue affect my State in any way.

I believe the committee's position on European troop levels is being misrepresented and distorted. I am sending a letter to every Senator setting forth the facts and pointing out that the committee is not attempting in any way to weaken our Nation's commitment to the North Atlantic Treaty Organization. I want to read a portion of that letter into the RECORD:

The thrust of the Committee recommendation is to halt the growth of our active military forces permanently stationed in Europe, a steadily increasing burden that seems to become an inviolate NATO commitment once in place. It is a growth that Congress has never specifically reviewed or approved since it tacitly agreed to a 300,000-troop level during the Mansfield resolution debates of the mid-1970s.

Projections for fiscal year 1983 put our military force level in Europe at 350,600, up nearly 20,000 since 1980 while other NATO troop levels in Central Europe actually declined by 17,000. The Committee conducted thorough hearings on these force levels and on our Nation's other increasing military commitments throughout the world. It found neither a stated need nor a defined policy supporting this growth. And it found nothing to substantiate the Department's position that halting the increase in our NATO forces would "send the wrong signal" to Europe and the Soviet bloc. To the contrary, the Committee felt it was time to send another signal and serve notice that the United States will demand more participation from its European allies in the defense to their own homeland.

The Defense Appropriations Subcommittee voted in support of the revised European force level 12 to 1. There was no effort to change this recommendation in the full committee markup.

The evidence, in my judgment, overwhelmingly supports a cap on the creeping growth of our troop levels in Europe, controlling an enormously expensive drain of our economic resources. Our total commitment to NATO in 1983 will cost \$133 billion—more than half our entire defense budget—if we don't start limiting that growth.

I add parenthetically, Mr. President—it is not in the letter—that that is at the level our committee has recommended. A total of \$133 billion will be the cost of our commitment to NATO which we recommended to the Senate. That is more than half of our entire defense budget, and if we do not start limiting that growth, it will never stop.

It is not that our European allies cannot do more. Their economies are sound, and many of them have overtaken and passed the United States in standards of living. Yet, while we commit more than 6 percent of our gross national product to defense, our European allies remain below 3 percent. (Japan, another of our distant military responsibilities, channels less than 1 percent of its booming economy into defense.)

Mr. President, we will address that subject next year. I think it is high time the Senate did address that question.

The Pentagon will try to argue that it costs more to bring back troops from Europe. That's not true under the general military personnel restraints funded in the 1983 Defense Appropriations Bill reported last Thursday. Normal attrition can return European force numbers to their 1981 beginning level, and there will be net savings in operating costs. Future savings will be even more substantial because we will trim the heavy expense of rotating servicemen and their families and the burden of operating and maintaining facilities needed for them in Europe.

Incidentally, a recent Defense Department analysis reveals that it costs an average of \$5,100 to move each and every one of those 300,000-plus servicemen to Europe. It doesn't take much of a slowdown to produce meaningful savings in this sort of thing.

Parenthetically, the European brigade that would be deactivated under the Committee recommendations is the same brigade that was dropped from the force under a budget amendment signed by the President just one year ago. The Pentagon later changed its mind about that brigade, but the committee did not.

When all the rhetoric begins, I ask you to remember that Secretary of Defense Caspar Weinberger conceded only last July in a letter transmitting a report on NATO burden sharing that the European allies can and must do more for their own defense. It hardly seems likely they will if we continue to do more at the expense of the American taxpayer.

I should stress that I do not advocate, nor does the Committee advocate, abandoning or even weakening the United States commitment to NATO. A free and secure Europe is in our own best interests. We just don't agree that the rising troop levels quietly pursued by the Pentagon are vital or even necessary to demonstrate our commitment.

Finally, I ask you not to overlook another key element of the Committee proposal: expanding and strengthening the National Guard and Reserves. The President's full budget request for more Guard and Reserve manpower has been approved, and beyond that the Committee has recommended significant increases in weapons and equipment to keep these standby forces at full readiness. Like the Europeans, we think it makes sense to help support our defense needs with a solid military reserve that costs about one-third the active force.

I think the hard facts clearly support the Committee position. Let's send the right signal to Europe for a change.

That is the end of my letter, Mr. President.

Mr. President, I hope that we are not needlessly involved in a debate over European troop levels as part of the essential requirement to take up and pass a continuing resolution this week. If we are, however, I want to serve notice that I do not intend to back off from the position the committee established because I feel it is a wise decision and a necessary decision.

I intend to work actively with the President to assure that we send the right message to Europe, and the right

message to send is that we are committing \$133 billion of our taxpayers' money for 1 year to the NATO forces. When the time comes that the Europeans can demonstrate that they are at least matching that, then I think it is time to talk about whether additional troop levels are required in Europe.

THE JUSTICE ASSISTANCE ACT OF 1982

Mr. HEFLIN. Mr. President, the Judiciary Committee this past week favorably reported Senate bill 2411, the Justice Assistance Act of 1982. I rise today in support of this proposal, and strongly urge that this body approve it as quickly as possible.

Ever since my election to the Senate, I have made the fight against crime one of my absolute highest legislative priorities. I have introduced legislative proposals which are designed to wage a "national war on violent crime." In fact, I am pleased to report that this particular bill, the Justice Assistance Act, embodies one of the cornerstones of my legislation by providing financial aid to communities wishing to continue successful law enforcement projects at the local level.

I take this opportunity to commend Senator ARLEN SPECTER of Pennsylvania for his hard work in sponsoring this legislation. As a cosponsor of the bill, I can honestly say that Senator SPECTER has commendably moved away from politics in making a truly bipartisan effort to strengthen our fight against crime.

It is vitally important that we all realize that law enforcement and the operation of the criminal justice system are primarily responsibilities to be met at the State and local level. It is a startling, but true, statistic that some 95 percent of all violent crime occurs within the jurisdictions of States and localities.

The meaning of this is perfectly clear. Here in Washington—at the Federal level—we can change all the Federal laws or strengthen the criminal justice system all we want, and we still will touch only the very tip of the iceberg. If we are to take meaningful action to stop the epidemic of crime that is now paralyzing our country, we must take steps to provide badly needed assistance to the other governmental levels.

A major provision of Senate bill 2411 calls for up to 100 percent assistance to State and local jurisdictions that request specific training programs for criminal justice personnel, technical assistance funds, and national demonstration programs for testing new and innovative ideas and techniques. In this way, written materials and training workshops can be utilized in order to install, at the local level, concepts and programs of proven effectiveness.

This bill, besides promoting the spread of programs of proven effective-

ness, would take steps to link research and program operations. The National Institute of Justice would be responsible for testing, evaluating, and recommending adjustments in programs, always keeping in mind the practical, day-to-day requirements. The legislation would also continue to support the operational functions of the Bureau of Justice Statistics. It would establish an advisory board for the Office of Justice Assistance which would in addition to recommending the funding priorities of the office, function as a coordinating body.

Yet another important provision of this legislation would authorize emergency criminal justice assistance in States facing "criminal justice disasters." In other words, if a crime problem of drastic and serious proportions should occur, such as an interminable string of murders or a devastating series of drug-related violence, the prompt support of the Federal Government would be readily available to local and State agencies.

Mr. President, I fully realize that I have stood in this Chamber many times to address problems related to crime. In large part, this is because I believe that crime is one of the two most serious problems with which we are faced.

I have chaired hearings on violent crime and I can assure you that I have found that State and local governments simply cannot effectively combat crime without assistance from the Federal Government.

I can also assure you that the American public is tired of living in fear, of cowering behind locked doors and barred windows, of having loaded guns nearby for protection. We, as their representatives, have a responsibility to do something, to take some action to curb this criminal epidemic.

Mr. President, for far too long we have a great deal of anticrime rhetoric in this Chamber. It is long past time for anti-crime action.

I urge that this bill be brought before the full Senate as soon as possible. I also urge every Member of the Senate to strike a blow against crime of supporting the Justice Assistance Act of 1982.

Thank you, Mr. President.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of

the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

ANNUAL REPORT OF THE DEPARTMENT OF ENERGY—MESSAGE FROM THE PRESIDENT—PM 183

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Energy and Natural Resources:

To the Congress of the United States:

In accordance with the requirements of Section 557 of the Department of Energy Organization Act (P.L. 95-91), I hereby transmit the Fourth Annual Report of the Department of Energy.

RONALD REAGAN.

THE WHITE HOUSE, September 27, 1982.

MESSAGE FROM THE HOUSE

At 11:10 a.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 4347) to authorize the Secretary of the Interior to proceed with development of the WEB pipeline, to provide for the study of South Dakota water projects to be developed in lieu of the Oahe and Pollock-Herrell irrigation projects, and to make available Missouri basin pumping power to projects authorized by the Flood Control Act of 1944 to receive such power.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4577. An act to provide that the provisions of section 252 of the Economic Recovery Tax Act of 1981 (relating to transfers of property to employees subject to certain restrictions) shall apply to certain transfers occurring during 1973; and

H.R. 5573. An act to amend the Internal Revenue Code of 1954 to encourage contributions of computer equipment to elementary and secondary schools.

HOUSE BILLS REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

H.R. 4577. An act to provide that the provisions of section 252 of the Economic Recovery Tax Act of 1981 (relating to transfers of property to employees subject to certain restrictions) shall apply to certain transfers occurring during 1973; to the Committee on Finance.

H.R. 5573. An act to amend the Internal Revenue Code of 1954 to encourage contributions of computer equipment to elementary and secondary schools; to the Committee on Finance.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4303. A communication from the Principal Deputy Assistant Secretary of Defense, Comptroller, transmitting pursuant to law, notice of the intention to obligate \$4.8 million in Navy Stock Fund for war reserve stocks; to the Committee on Appropriations.

EC-4304. A communication from the Acting Assistant Secretary of the Army for Manpower and Reserve Affairs transmitting a draft of proposed legislation to repeal the provision of law relating to reexamination and readmission of cadets at the United States Military Academy; to the Committee on Armed Services.

EC-4305. A communication from the Assistant Secretary of the Army for Installations, Logistics, and Financial Management transmitting, pursuant to law, the recent discovery and emergency disposal of suspected chemical agent munitions at Dugway Proving Grounds, Utah; to the Committee on Armed Services.

EC-4306. A communication from the Director of the Department of Defense Office of Dependents Schools transmitting, pursuant to law, a report on a decision made to initiate a study relative to the conversion of an automated management information system in Alexandria, Virginia and six overseas locations to performance under contract; to the Committee on Armed Services.

EC-4307. A communication from the Assistant Secretary of the Navy for Shipbuilding and Logistics transmitting, pursuant to law, notice of a decision made to convert the Insect and Rodent Control function at the Naval Shipyard, Norfolk, Virginia to performance under contract; to the Committee on Armed Services.

EC-4308. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on a foreign military sale to Portugal; to the Committee on Armed Services.

EC-4309. A communication from the Chairman of the Securities and Exchange Commission transmitting, pursuant to law, the annual report for 1981 of the Securities Investor Protection Corporation; to the Committee on Banking, Housing, and Urban Affairs.

EC-4310. A communication from the Vice President for Government Affairs, AMTRAK transmitting, pursuant to law, a report for May 1982 on total itemized revenues and expenses; to the Committee on Commerce, Science and Transportation.

EC-4311. A communication from the Federal Inspector, Alaska Natural Gas Transportation System transmitting, pursuant to law, a report on the completed, commissioned, and certified Eastern Leg of the System; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PERCY, from the Committee on Foreign Relations, without amendment:

S. Res. 480. An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consider-

ation of H.R. 5427; referred to the Committee on the Budget (with minority views) (Rept. No. 97-588).

By Mr. McCURE, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2632. A bill authorizing the government of American Samoa to issue bonds and other obligations, and for other purposes (Rept. No. 97-590).

By Mr. HATCH, from the Committee of Conference: Report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2582) to amend section 439 of the Higher Education Act of 1965 to make a technical amendment relating to priority of indebtedness, to provide for the family contribution schedule for student financial assistance for academic years 1983-1984, and 1984-1985, and for other purposes (Rept. No. 97-589).

By Mr. HUDDLESTON, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 2960. An original bill to extend the economic emergency loan program for farmers and provide for loan deferrals for borrowers of farm loans from the Farmers Home Administration, and for other purposes (Additional Views filed) (Rept. No. 97-591).

By Mr. DOLE, from the Committee on Finance, with amendments:

H.R. 6056. An Act to make technical corrections related to the Economic Recovery Tax Act of 1981, the Crude Oil Windfall Profit Tax Act of 1980, and the Installment Sales Revision Act of 1980; (Rept. No. 97-592).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HUDDLESTON, from the Committee on Agriculture, Nutrition, and Forestry:

S. 2960. An original bill to extend the economic emergency loan program for farmers and provide for loan deferrals for borrowers of farm loans from the Farmers Home Administration, and for other purposes; placed on the calendar.

By Mr. WARNER (for himself and Mr. McCURE):

S. 2961. A bill to promote improved defense preparedness by revising certain provisions of title III of the Defense Production Act of 1950, and to extend the expiration date of the act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HEFLIN (for himself, Mr. THURMOND, Mr. NUNN, Mr. DURENBERGER, Mr. D'AMATO, Mr. ABDNOR, Mr. CANNON, and Mr. PRYOR):

S.J. Res. 255. Joint resolution to designate the week of October 10, 1982, through October 16, 1982, as "Freedom Week U.S.A."; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PERCY, from the Committee on Foreign Relations:

S. Res. 480. An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 5427; to the Committee on the Budget.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER (for himself and Mr. McCURE):

S. 2961. A bill to promote improved defense preparedness by revising certain provisions of title III of the Defense Production Act of 1950, and to extend the expiration date of the act; to the Committee on Banking, Housing, and Urban Affairs.

AMENDMENTS TO DEFENSE PRODUCTION ACT OF 1950

● Mr. WARNER. Mr. President, I rise today to introduce, along with Senator McCURE, a bill that would fund title III of the Defense Production Act of 1950 by reinstating borrowing authority in the amount of \$50 million which could only be used for purchase commitments to promote domestic production of strategic and critical minerals, metals, and materials. No loans or loan guarantees would be authorized. All amounts borrowed must be repaid by the procuring agency within 24 months. Any additional funds used in connection with the procurement would be subject to advance appropriations under the Defense Production Act or under such acts as may authorize procurement of the defense items in which the purchased minerals, metals or materials will be utilized.

On June 29, 1982, the Subcommittee on Energy and Mineral Resources of the Senate Energy and Natural Resources Committee held oversight hearings on the President's national materials and minerals program plan and report to Congress. This hearing graphically pointed out the serious plight of America's mining industry. Further, at a seminar held at Coeur d'Alene, Idaho hosted by Senator McCURE in which I participated, the plight of the mining industry was further called to my attention.

The hearing pointed out that America is currently more than 50-percent dependent on foreign sources for 23 of 40 critical materials essential to the U.S. economy and national security procurement and production. Moreover, unless something is done to revitalize America's mining industry this dependency will only worsen which will put the United States at an extreme disadvantage when future emergency situations arise. Senator McCURE and I strongly feel that America's mining industry is critical to our national defense and must be supported.

In the past the Defense Production Act has been utilized to great advantage to provide needed strategic minerals and materials to the United States during its time of need. The Defense

Production Act provides for the implementation of a system—the Defense Priorities System—which permits the President to accelerate the production of critical defense items by causing the manufacturers to place these items at the front of production line; guaranteed loans to expedite deliveries of vital national defense systems, and direct deliveries of vital national defense systems, and direct Government loans to industry to expand plants and facilities in order to develop or produce essential material.

The Defense Production Act was instrumental in increasing U.S. aluminum capacity by 113,000 tons, which resulted in doubling of production; in increasing copper mine capacity by one-quarter or 300,000 tons, in initiating nickel mining in the United States; in creating the domestic titanium industry; in quadrupling U.S. tungsten mining; in expanding the world Columbian and tantalum mining and processing industries; and in expanding supplies of many other strategic and critical minerals just during the Korean war.

Also the Defense Production Act started the new commercial synthetic fuels industry, helped complete the Alaskan oil pipeline and launched the naval nuclear reactor program which led to the nuclear power industry.

During its 30-year life, the Defense Production Act has generated nearly \$9 billion in economic activity through more than a thousand industrial projects. The actual net outlay totaled approximately \$900 million. However, this figure, which comes from the Federal Emergency Management Agency, does not reflect the Federal, State and local tax revenues offsetting that cost, or more important, the hundreds of thousands of new jobs created.

My bill would fund title III of the act of \$50 million to provide purchase guarantees for those minerals which the Department of Defense felt was essential for the national security of the United States.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2961

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—EXTENSION OF DEFENSE PRODUCTION ACT OF 1950

SEC. 101. The first sentence of section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking out "September 30, 1982" and inserting in lieu thereof "September 30, 1983."

TITLE II—CONTRACTS FOR IMPROVED DEFENSE PREPAREDNESS

SHORT TITLE; TABLE OF CONTENTS

SEC. 201. This title may be cited as the "Defense Production Act Amendments of 1982 (Defense Preparedness)."

TABLE OF CONTENTS

Sec. 201. Short title; Table of Contents
Sec. 202. Declaration of Policy
Sec. 203. Contracts for Improved Defense Preparedness

DECLARATION OF POLICY

SEC. 202. In view of the present international situation, the Nation's demonstrated reliance on imports of raw materials and components, and the need for measures to reduce defense production lead times, our defense preparedness effort continues to require the development of preparedness programs, defense industrial base improvement measures and the expansion of production capacity and supply beyond levels needed to meet the civilian demand. To provide for the national defense and security, efforts must continue to improve defense industrial base efficiency and responsiveness in order to reduce the time required for industrial mobilization in the event of an attack on the United States and to respond to actions occurring outside the United States which could result in termination or reduction of availability of strategic and critical materials, including energy.

CONTRACTS FOR IMPROVED DEFENSE PREPAREDNESS

SEC. 203. (a) Section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) is amended as follows:

(1) amend subsection 303(a) up to the first proviso to read as follows:

"(a) When it will promote improved defense preparedness, the President may promote expanded domestic production capacity and supply by making contracts (1) for purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale; and (2) for the encouragement, development and mining of critical and strategic minerals, metals and materials. No such contracts may be made in an amount greater than \$500 million unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such contract and 30 days of continuous session of Congress have expired following the date on which such notice was transmitted to such committees and neither House of Congress has adopted, within such 30-day period, a resolution disapproving such contract. For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment or more than 3 days to a date certain are excluded in the computation of such 30-day period."

(2) add at the end of the section the following new subsections:

"(h) Any contract under this section shall provide that the President has the right to refuse delivery of the item involved and to pay an amount equal to the amount by which the price for the item, specified in the contract, exceeds the market price at the time of delivery for such items as determined by the President. Additionally, any contract under this section shall provide that the President has the right to purchase the contractor's interest in the contract and all of the assets of the project for the contractor's total capital and uncanceled investment minus depreciation.

"(i) When any contract entered into pursuant to this section imposes contingent liability upon the United States, such liability shall be considered for the purposes of sec-

tion 3679 and 3732 of the Revised Statutes, as amended, as an obligation only to the extent of the lesser of (1) the contractor's (estimated for the date of delivery) total capital and uncanceled investment minus depreciation; or (2) the difference between the contract price for the item and the President's estimate of the market price at delivery. Such obligations established in accordance with this subsection do not have to be amended due to changes in the estimates upon which the original obligation was determined. The President shall submit a report to the Congress not less often than once each year setting forth the gross amount of each such transaction entered into by an agency of the United States Government under this authority and the basis for determining the obligation hereunder.

"(j) Funds for contracts made under this section may be made available from:

"(A) appropriations originally available for the performance of the contract concerned;

"(B) appropriations currently available for procurement of the type of item concerned, and not otherwise obligated; or

"(C) funds subsequently appropriated for those payments. If part or all required funds are not available to enter into or when payment is due under a contract made in accordance with this section, any department, agency, official or corporation of the Government created or utilized under subsection 2094(a) is authorized, subject to the approval of the President, to borrow from the Treasury of the United States, such sums of money as may be necessary to carry out its functions under this section. *Provided, however,* That the amount borrowed under the provisions of this section by all such borrowers shall not exceed an aggregate of \$50,000,000 in any one fiscal year. *Provided further,* That all loans from the Treasury shall be repaid within 24 months unless the President makes a finding that such loans are essential to the national security and extends the period for repayment."

(b) Section 304 of the Defense Production Act of 1950 (50 U.S.C. App. 2094) is amended as follows:

(1) subsection (b) is amended to read as follows:

"(b) In considering proposals for financial assistance pursuant to section 2091, 2092, and 2093, the President shall make every effort to minimize the Federal financial commitment and the financial risk to the Federal government."

(2) subsection (c) is amended to read as follows:

"(c) The President shall submit a report not later than 31 January of each year to Congress concerning the operation of sections 2091, 2092, and 2093 (including the reporting requirement of subsection 2093(1)) during the preceding fiscal year." ●

By Mr. HEFLIN (for himself,
Mr. THURMOND, Mr. NUNN, Mr.
DURENBERGER, Mr. D'AMATO,
Mr. ABDNOR, Mr. CANNON, and
Mr. PRYOR):

S.J. Res. 255. Joint resolution to designate the week of October 10, 1982, through October 16, 1982, as "Freedom Week U.S.A."; to the Committee on the Judiciary.

FREEDOM WEEK U.S.A.

Mr. HEFLIN. Mr. President, I rise today to introduce a joint resolution to designate the week of October 10

through October 16, 1982, as "Freedom Week U.S.A."

I am proud to sponsor this resolution on behalf of the Jayceettes, an organization of young women who believe in a brotherhood of mankind which transcends national boundaries. Through their civic mindedness and unending service to their communities, the Jayceettes have shown that with a spirit of cooperation we can build a better community and world.

The Jayceettes are committed to a patriotic recognition of the discovery of America and the founding freedoms of the United States of America. I can personally attest to the services and patriotic spirit that the Jayceettes have provided to the people of Alabama.

Mr. President, with news of the curtailment of freedoms in so many countries today, it is particularly important that we pause for a celebration of our freedoms that are a very part of our soul.

For over 200 years, our country, founded in the name of freedom has been a bastion of these freedoms shining a beacon of hope and freedom throughout the world. Our country and the freedoms that we have, stand as a pillar to the triumphs, spirit, and dignity of man. It is through these freedoms that each individual is given the opportunity to prosper and to reach his full potential.

Not only do we pause to celebrate the achievements that have been brought by these freedoms, but also to declare that we will stand vigil and vigorously defend against any attempt to deprive us of our freedoms.

This resolution, Mr. President, calls upon the people of the United States to show their loyalty, concern, and support for our country by a vivid patriotic display of independence and pride in America and in our communities.

I would ask, Mr. President, that each Senator join with me in proclaiming the week of October 10 through October 16 a celebration of our freedoms and the spirit of America.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 255

Whereas the Jayceettes is an organization of young women who believe in the brotherhood of mankind and that this brotherhood transcends the sovereignty of nations;

Whereas the Jayceettes believe that government should be of laws rather than men;

Whereas in their right for independence, communities in the United States have established a heritage of freedom by patriotic services;

Whereas the American flag is a symbol of patriotic loyalty and pride in our country;

Whereas Jayceettes is committed to a patriotic recognition of the discovery of Amer-

ica and the founding freedoms of the United States of America; and

Whereas Jayceettes across the Nation will be showing their concern, loyalty, and support for our country by a vivid and patriotic display of pride in America throughout our communities: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of October 10, 1982, through October 16, 1982, is designated "Freedom Week, U.S.A." and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to show their concern, loyalty, and support for our country by a vivid patriotic display of pride and with other appropriate ceremonies.

ADDITIONAL COSPONSORS

S. 1249

At the request of Mr. DOLE, his name was added as a cosponsor of S. 1249, a bill to increase the efficiency of Governmentwide efforts to collect debts owed the United States, to require the Office of Management and Budget to establish regulations for reporting on debts owed the United States, and to provide additional procedures for the collection of debts owed the United States.

S. 2918

At the request of Mr. CHAFEE, the name of the Senator from North Dakota (Mr. BURDICK) was added as a cosponsor of S. 2918, a bill to permit the investment of employee benefit plans in residential mortgages.

SENATE JOINT RESOLUTION 214

At the request of Mr. PERCY, the names of the Senator from Arizona (Mr. DECONCINI), and the Senator from Minnesota (Mr. DURENBERGER) were added as cosponsors of Senate Joint Resolution 214, a joint resolution to authorize and request the President to designate the month of November 1982 as "National REACT Month."

SENATE RESOLUTION 480—ORIGINAL RESOLUTION REPORTED WAIVING CONGRESSIONAL BUDGET ACT

Mr. PERCY, from the Committee on Foreign Relations, reported the following original resolution; which was referred to the Committee on the Budget:

S. RES. 480

Resolved, That pursuant to section 402(c) of the Congressional Budget Act of 1974, the provisions of section 404(a) of such Act are waived with respect to the consideration of H.R. 5427, a bill to authorize appropriations to provide for broadcasting of accurate information to the people of Cuba, and for other purposes. Such waiver is necessary to allow the authorization of an appropriation of \$7.5 million for the costs of creating an entity responsible to the Board for International Broadcasting which will broadcast accurate information to Cuba.

Compliance with section 402(a) of the Congressional Budget Act of 1974 was not possible by the May 28, 1982 deadline because the committee had not completed a series of extensive hearings on this issue prior to that date.

The effect of defeating consideration of this authorization will prevent the creation of this broadcast entity which was proposed by the President and endorsed by a substantial majority of the Foreign Relations Committee.

The desired authorization will not delay the appropriations process and can be accommodated in a fiscal year 1983 appropriation bill.

AMENDMENTS SUBMITTED FOR PRINTING

EXTENSION OF DEFENSE PRODUCTION ACT

AMENDMENT NO. 3620

(Ordered to be printed and to lie on the table.)

Mr. WARNER (for himself, Mr. McCLURE, and Mr. JACKSON) submitted an amendment intended to be proposed by them to the bill (S. 2375) to extend by 5 years the expiration date of the Defense Production Act of 1950.

ADDITIONAL STATEMENTS

EDUCATION FOR ECONOMIC SECURITY ACT

● Mr. STAFFORD. Mr. President, I am pleased to join Senators PELL and CRANSTON in sponsoring S. 2953, the Education for Economic Security Act. This legislation is a timely and necessary response to a problem of serious national proportion.

A generation ago, Congress enacted a milestone in Federal education law, the National Defense Education Act. This landmark legislation, passed in 1958, was a response to the Soviet launching of the sputnik rocket.

Congress phrased the intent of NDEA this way:

The Congress hereby finds and declares that the security of the nation requires the fullest development of the mental resources and technical skills of its young men and women. . . . The national interest requires . . . that the federal government give assistance to education for programs which are important to our national defense.

A generation after establishment of NDEA, many of the problems prevalent then are reoccurring. The problem this time is not, however, an issue of military security. Confronting us now is the matter of economic survival.

Put simply, the situation is that the United States does not have enough science and mathematics teachers in our high schools. And many of those we do have are not sufficiently trained to do the job that is necessary.

There is an irony in our predicament. In the aftermath of sputnik, the Russians were our target, and the Na-

tional Defense Education Act an important means of hitting it.

Now, with the battleground shifting to the economic front, we find that the adversaries competing for our share of an increasingly technological world economy tend to be our allies as much as anyone else.

In an environment where mastery of math and science is crucial, we find ourselves with serious shortcomings. Let me cite examples of the situation.

The National Academy of Sciences sponsored a national convocation on the status of precollege education in mathematics and the sciences. Among other findings, the convocation brought out that:

Nationwide, 22 percent of the teaching posts in mathematics are unfilled.

In 1981, half of the newly hired instructors in secondary math and science were not qualified to teach those subjects.

Almost five times as many science and math teachers left the profession for nonteaching jobs than left due to retirement.

In addition, as researchers at Iowa State University have just disclosed, departments of education in 40 States report a shortage, in many instances critical, of physics and math teachers, while 39 States are in need, again in some cases, of chemistry teachers.

These dismal statistics are only symptoms of a national ailment. The Federal Government can and should play an important role in reversing this decline.

Even in my own State of Vermont, the stakes are high. The stereotype of Vermont is that it is an agricultural State. In fact, Vermont ranks third in the Nation for percentage of work force employed by high-tech industry.

The requirements of this type of industry are demanding. Unfortunately, we have found ourselves falling short of the demands.

To begin focusing national attention and debate upon the implications of this shortage, Senators PELL, CRANSTON and I have introduced this legislation. The Education for Economic Security Act would:

Add to the resources of State and local education agencies, to upgrade instruction in math, science, computers, foreign languages and vocational education.

Help to improve teacher training for math, science and computer instruction at colleges and universities.

Promote the retraining of teachers in other disciplines to the areas of instruction showing critical need.

Increase inservice opportunities for teachers now at work to study math, science and computer literacy.

Our chances for success in this venture hinge upon cooperation of all involved. This legislation signals a new partnership in education for all levels of government. ●

CONTROLLING TAX EXPENDITURES—THE CANADIAN EXPERIENCE

● Mr. KENNEDY. Mr. President, the Internal Revenue Code is widely used as a mechanism for spending Federal funds. The proliferation of "tax expenditures" has been of increasing concern in recent years because of their number and their large revenue cost. In fact, the back-door Federal spending through such tax subsidies has grown at a greater rate than the front-door spending through the normal budget process. I am convinced, as are many others in Congress, that we must develop more effective mechanisms to bring tax expenditures under the budget process if we are to achieve a balanced budget and gain full control over Federal spending.

As we have seen in the recent budget and tax debates, tax expenditures have the same impact on Federal deficits as direct spending programs. Increasing tax expenditures increases the Federal deficit, and reducing or repealing tax expenditures, as in this year's major tax bill, reduces the Federal deficit.

In recent years, as budget constraints have become tighter, I have called for reductions in tax expenditures proportional to reductions in direct expenditure programs. Such action makes budget sense and represents an evenhanded approach to budget cuts. It is not fair to require the beneficiaries of direct spending programs to bear the entire brunt of spending cuts, without requiring the beneficiaries of tax expenditures to make a corresponding sacrifice.

In this connection, recent developments in Canada are instructive. The Government of that nation began publishing a tax expenditure budget in 1979. Simultaneously, the Government introduced an "envelope system," under which tax expenditures and direct expenditures in the same overall budget category are combined in one "envelope" for consideration by the appropriate departments of the Government. As a result, proposals for new tax expenditures have been significantly reduced, and tax spending has been brought under the same type of fiscal control as direct expenditures. The successful experience of Canada in achieving this control over tax expenditures can be a useful lesson to Congress as we consider steps to improve the budget process.

Mr. President, I believe that the Canadian approach to tax expenditures will be of interest to all of us in Congress, and I ask that an article on this issue by the Honorable Allan J. MacEachen, the Deputy Prime Minister and former Minister of Finance in Canada who is now Secretary of States

for External Affairs, be printed in the RECORD.

The article follows:

INTEGRATION OF TAX EXPENDITURES INTO THE GOVERNMENT FISCAL MANAGEMENT SYSTEM
(By Hon. Allan J. MacEachen)

A proper fiscal management system is an important preoccupation of governments of most of the countries in the world. The principal objectives of a fiscal management system are to control the growth in public spending and to ensure an efficient allocation of public funds to various priority areas. It is also important that the system provide adequate opportunity for an ongoing review of the fiscal initiatives taken in the past, permit flexibility in shifting resources from one policy areas to another in response to changing priorities, and provide for financial control.

To better achieve these objectives, Canada has recently adopted a new fiscal management system, under which the overall outlays of the federal government are divided into several broad policy areas or "envelopes". The spending decision within each envelope is then delegated to a committee of Ministers responsible for the policy areas within that envelope. While this system is similar in many respects to that found in some other countries, one unique feature of the system in Canada is the integration of tax expenditures or selective tax preferences within the system. This integration of tax expenditures into the system is in recognition of the fact that a variety of instruments may be used to achieve given policy goals. These instruments include grants, direct expenditures, loans and guarantees, and tax incentives. An appropriate fiscal management system should give a place to all of these alternatives so that the most appropriate mechanism is chosen. It should not bias the choice of instruments in a manner that is detrimental to the achievement of overall policy objectives.

THE ENVELOPE SYSTEM

The new fiscal management system, or the envelope system, as it is referred to, was adopted in response to a number of concerns that had developed over a period of years. The previous structure of federal government expenditure management presented certain difficulties which were articulated by successive Auditors General and by the government's Comptroller General. In November 1976 the government appointed the Royal Commission on Financial Management and Accountability, known as the Lambert Commission. The Commission's final report noted:

"Our review of the existing financial planning process revealed several fundamental weaknesses. None of the participants is held effectively accountable. Expenditures are proposed by departments in ignorance of projected revenues and without their being related to priorities. There is no public commitment to an expenditure plan and consequently no basis for effective parliamentary review. Finally, there is little public participation in expenditure planning."

Another important consideration was the effort by the Canadian government, like the governments of many other Western countries, to restrain the growth of the public sector. Expenditures since 1975-76 have been kept to an average growth rate slightly below that of GNP. This is reflected in the decline in the ratio of "total outlays", which is the sum of budgetary expenditures and non-budgetary loans, investments and advances, from 22.9 percent GNP in 1975-76 to

20.2 percent in 1980-81. Such a period of restraint creates special pressures on a fiscal management system and highlights the need for an effective allocation of resources in relation to priorities including an effective review of existing programs.

The 1970s also saw rapid changes in Canadian society and many new issues facing governments. New government departments and agencies evolved and existing departments found more than ever that their responsibilities were intertwined with other policy areas. Clearly, this situation requires a high degree of budgetary control and a system that is designed to highlight trade-offs between competing programs.

The envelope system is intended to deal with the problems identified by ensuring greater Ministerial control over both policies and expenditures. The envelope system does this by assisting Ministers in integrating policy making and fiscal and expenditure planning within the Cabinet Committee system.

The outline of the basic system is quite straightforward. Its basis is a medium-term fiscal plan encompassing revenues and expenditures over a 5-year period. Each year, the Cabinet reviews the overall level of expenditures on recommendations by the Minister of Finance and President of the Treasury Board. These overall expenditures are then divided into 9 allocations for broad policy areas, or 9 envelopes as they are called. Formally, an envelope is an authorized expenditure limit, expressed in current dollars for the fiscal year in question. The 9 envelopes are Economic Development, Energy, Social Affairs, Justice and Legal, Fiscal Transfers to Provinces, External Affairs, Defence, Parliament, and Services to Government. A separate account is maintained for the costs of public debt.

Overseeing the operation of each envelope is a policy Committee composed of Cabinet Ministers with responsibilities in the policy area of the envelope. These committees have the responsibility of allocating expenditures within the envelope to particular departments and programs.

Each Policy Committee is provided with a basic operational level of expenditures within its envelope. This provides for the forecast cost of existing programs and an operating reserve to meet cost overruns, although the Treasury Board works throughout the course of the year to identify program savings to avoid net overruns in expenditures where possible.

Policy Committees may also be provided with additional amounts for the financing of new or enriched programs or they may be required to reduce expenditures. Policy Committees control the allocation of funds for new or enriched programs and designate existing programs that can be reduced or eliminated within their policy area.

The Policy Committees thus have two sources of funds for new or expanded programs. These are additional amounts provided for an envelope in the annual review by Cabinet and reallocation of amounts from existing programs. The incentive to identify programs that can be reduced or eliminated, thereby freeing funds for uses that are currently more in line with government priorities, is crucial to the system and makes it an effective means of fiscal management.

The foregoing represents a brief summary of the system in terms of expenditures. As was indicated earlier, this fiscal management system does not differ in broad outline from that used in some other countries.

However, a unique feature of the Canadian system is its treatment of tax expenditures.

TAX EXPENDITURES AND THE ENVELOPE SYSTEM

The inclusion of tax expenditures in the fiscal management system is a very important feature and one that is of particular relevance in regard to the responsibilities of the Minister of Finance. The integration of the tax and expenditure sides of the budget reflects several considerations and experience gained in the period of restraint since the mid-1970s.

The basic concept of a tax expenditure is a provision in the tax system which provides certain taxpayers with preferential treatment in comparison to a benchmark tax structure. The benchmark tax structure is one that provides no preferential treatment to taxpayers on the basis of demographic characteristics, sources, or uses of income, geographic location or any other special circumstances applicable only to a given taxpayer or particular group of taxpayers. The preferential treatment or deviation from the benchmark may be in the form of deductions from income, exemptions, tax deferrals, lower tax rates or credits.

Tax expenditures are, in many respects, a substitute for direct spending. They both implement government priorities. As well, they both lead to increases in the budget deficits or require program cutbacks or increases in the general tax revenues for their financing. A proliferation of tax incentives eventually means higher tax rates for all because of reduced tax base, which, in turn, has potentially serious implications for incentives to work, save and invest. Tax expenditures, just as direct expenditures, represent a form of government intervention in the economy. This, in itself, suggests that decisions about tax expenditures should be integrated into the fiscal management system.

Another consideration is that the size of tax expenditures is substantial, in both the number of items and the aggregate value of revenues foregone. In several policy areas they rival the value of direct spending. Moreover, tax expenditures were growing rapidly. From 1976 to 1979, the rate of increase in the value of tax preferences was some 50 percent higher than the rate of increase in direct spending.

It was perhaps not surprising that a period of rapid growth in tax expenditures coincided with increasing efforts to restrain government spending. Under the previous system additional funds directed to a policy area by tax expenditures did not affect the budget of the sponsoring department. With government expenditure restraint blocking all but the very highest priority new programs or expansion of existing programs from the mid-1970s, the introduction of new tax expenditures thus became one of the few avenues available for government program Ministers to pursue policy objectives that they quite legitimately identified in their areas of concern. It created strong incentives for each program Minister to seek new tax expenditures in his area of responsibility, usually with the support of the population groups or industrial sectors whose interests he or she was expected to represent. The Minister of Finance was placed in the lonely position of attempting to couple expenditure restraint with deficit reduction while maintaining the credibility of the tax system as a fair and effective means of raising government revenues.

The process of integration of tax expenditures into the fiscal management system

comprises a number of elements. In the normal course of events, a program Minister would, initially, identify various alternative means of achieving a given policy objective and consider their relative advantages and disadvantages. These would then be reviewed by the relevant Policy Committee to determine if any policy action is warranted and if there are adequate funds set aside for it within the envelope. If it is the view of the Committee that the given policy objective is best achieved by a new tax expenditure item or extension of an existing one, the measure is then forwarded to the Minister of Finance who has the overall responsibility for the tax system. If the measure does not conflict with the basic objectives of the tax system or give rise to other structural or technical anomalies, then the Minister concurs with its adoption, and the cost of the measure is debited to the envelope for that policy area.

One crucial feature of this system is the concurrence of the Minister of Finance with the adoption of any tax measure. This is based on the need to maintain a tax system that operates in a fair and effective fashion. Unlike individual expenditure programs that can operate to a large extent almost independently of the other programs, the tax system is an integrated one. Changes in one part of the system may lead to repercussions elsewhere in the system. The Minister of Finance might not consider it desirable to proceed with a given tax change if, for example, it were to lead to significant difficulties in compliance and administration or give undue benefits to certain groups of taxpayers and thereby calling into question the fairness of the whole system. A tax incentive to one group or in respect of one activity might lead to pressures for similar incentives to other groups or in respect of other activities. It might sometimes be easier to resist such pressures when the incentive is provided through a direct expenditure program as opposed to the tax system.

Tax changes may also flow in the opposite direction, that is, the Minister of Finance may propose changes to a Policy Committee with the cost of the new tax expenditure to be charged to their envelope. Finally, the Minister of Finance may introduce changes on his own initiative for tax policy, fiscal policy, or administration grounds without giving rise to adjustment in envelopes.

In integrating tax expenditures into the financial management system, a key issue involves the treatment of existing tax expenditures. Should these existing tax preferences be assigned to envelopes and form a portion of the envelope entitlement? The decision taken was to exclude existing tax expenditures from the system.

While this may be considered a flaw in the implementation of the system, I believe it was a necessary and practical step that does not detract from the potential effectiveness of the system. First, the definition of a benchmark tax system against which to measure tax expenditures is far from a clear cut task. Commentators can differ sharply on such features as the appropriateness of using the individual or family as a unit of taxation, or assumptions about the integration of corporate and personal income taxes. When the tax expenditure accounts are for informational purposes, these questions of definition are not an obstacle to their presentation and use. They would, however, become of paramount importance if the full accounts were to be integrated into the fiscal management system. It was found that most of these issues arose in the con-

text of existing tax provisions and that it was relatively easy to determine whether a new change was a tax expenditure or part of the benchmark structure.

The implication of this exclusion of existing tax expenditures is that their elimination or reduction does not provide additional amounts for an envelope, although the envelope could be credited by an appropriate amount where the Policy Committee recommends a cut-back in tax expenditures as part of a package to retarget fiscal incentives in a given policy area. In general, only tax incentives that have been provided for within the envelope system, i.e. new tax expenditures, will give rise to additional funds within when they are eliminated.

The integration of tax expenditures should have two direct influences on the frequency and the nature of tax proposals arising from program Ministers. First, program Ministers discuss the requests for tax expenditures within their Parliamentary Committee as part of the actual budgetary process for their envelope, and thus should have vital interest in screening request for tax expenditures coming out of the Committee. Second, since tax expenditures and direct expenditures both impact on the available amount of funds in an envelope, the decision to seek delivery through the tax system versus the expenditure system will be based on the relative merit of the two approaches.

The tax system may be a more advantageous way to carry out government policy for a number of reasons. First, the tax system is a self-assessment system and taxpayers themselves have the discretion to act on an incentive themselves. The degree of bureaucratic discretion and "red tape" is thus limited. Second, the tax system contains well-defined concepts and considerable information that, if used in delivering incentives, may simplify the process considerably. Finally, in the Canadian federal system, the tax system lends itself to joint federal and provincial action because income taxes are, in most cases, imposed on a common base.

However, there are also a number of negative consequences which may flow from the use of tax expenditures rather than direct expenditures. Tax incentives frequently have effects that run counter to maintaining the fairness of the tax system. For example, deductions from income are generally of more benefit to those with the higher marginal tax rates.

Tax expenditures, once put in place, have proved remarkably difficult to remove with their elimination always billed as a tax increase. Tax expenditures are thus likely to remain in place past the time when they are required. It is also difficult to determine the actual advantage of tax preferences to various groups in the economy as the number of such incentives multiply, because the incentives often interact with each other and may be offsetting.

Tax statutes need to be extremely precise because of the self-assessing nature of the Canadian tax system. With precision comes complexity and opportunities for tax planning activities which may reduce the amount of time and effort devoted to productive activity. The precision required also eliminates discretion, which in some cases may make a program much less flexible and responsive than is desirable. Finally, tax expenditures do not lend themselves to strict budgetary control. They must be available to all persons meeting the criteria established.

The new system adopted in Canada is designed to ensure that all these factors are

given adequate consideration in the choice of instruments for achieving the given policy objective.

CONCLUSION

Canada has only recently adopted a system of fiscal management that incorporates tax expenditures. The system holds considerable promise in improving government decision-making, helping government in achieving fiscal restraint and ensuring that the most appropriate vehicle is used, whether that be the tax system, the expenditure system or loans and advances, when government intervention in the economy is desirable.

There are some very encouraging signs. Tax expenditures are taking their place in public and parliamentary debates. There is now generally more awareness of the limitations in the use of tax incentives for achieving policy objectives. ●

AMERICAN LEGION ON AMNESTY

● Mr. EAST. Mr. President, with continued high unemployment, we cannot afford to give amnesty to millions of illegal aliens. Those illegal aliens in the lowest paying jobs would be free to compete with Americans for good jobs. Those illegal immigrants already in good jobs could keep them. Is that fair to almost 11 million unemployed Americans? The American Legion thinks not. I agree.

Mr. Paul Egan, deputy director of the National Legislative Commission of the American Legion, expressed the position of our Nation's largest veterans' organization in a letter published today in the Washington Times. I ask that his letter be printed in the RECORD.

The letter follows:

[From the Washington Times, Sept. 27, 1982]

ENFORCE LAW TO STOP ILLEGAL ALIENS

It will surprise no one that immigration has been out of control for too long. Indeed, in every quarter of the nation, most persons emphatically insist that regaining control over immigration is paramount.

What is surprising and what will inevitably shock folks across the nation is the fact that if the House goes along with the recently passed Senate immigration reform package the demographic, social, economic and political consequences will irreversibly alter the nation as we know it today.

Perhaps these changes are desirable and perhaps they are not, but few would deny that these changes will occur, and almost no one in Congress is talking about it. What is really at stake is whether the nation's politicians can muster the strength necessary to exercise some of the most sacred responsibilities any legitimate nation state has to its citizens.

A few of these include enforcing the law, protecting the sanctity of sovereign borders and carefully fashioning public policies which promote social well-being without exposing the body politic to undue chaos.

Should virtually millions of illegal aliens (undocumented in polite circles) be given amnesty? To answer this question affirmatively is to concede not only the failure of

law enforcement, but also a failure of national will to enforce the law.

No one suggests as an answer to overcrowded prisons that they should be emptied so that we might start with a clean slate. Yet this is the same logic that is used to justify amnesty.

If, as citizens, we voluntarily comply with laws and thereby lend *de jure* legitimacy to the state's right to govern, just as surely the state has an obligation to enforce the law. This is axiomatic whether we refer to littering, robbery or immigration.

The most recent experience with amnesty in this country was when draft dodgers during the Vietnam conflict were permitted to regain entry into the country with little or no penalty. Today, we can see by the tens of thousands having failed even to register with Selective Service—apart from military duty itself—that the legitimacy of our government's sovereign right to raise an army is under serious challenge.

In that regard, there is no reason to suspect that a different experience will obtain if illegals are amnestied.

What of a limited amnesty? The Senate has ordered up just such a program to provide temporary or permanent residency status to illegals able to prove they were in the country before 1980 and 1978 respectively.

If it can be agreed that amnesty is wrong, then a limited amnesty is just as wrong, leaving only the numbers to be dickered over. Whether wide open or limited, the precedent set by a nation repudiating its sovereign right to control its borders is terribly foreboding.

The Congressional Budget Office estimates that a rise in national unemployment of two percent costs the federal government between \$50-\$56 billion in lost revenues and relief expenditures.

It follows, then, that if two million unemployed Americans (roughly two percent of the unemployment rate) were able to obtain just two million jobs currently held by illegals next year, the 1983 budget deficit could be halved.

Apart from new revenues generated and reduced relief program expenditures, amnesty for about five million illegals would cost an additional \$10 billion over four years in social program expenditures not now being paid.

Moreover, the stakes are high and Congress owes it to the public not to bluff. The nation's past immigration generosity can continue. However, that generosity must not be allowed to betray the axioms of political legitimacy or our own economic well being.

PAUL EGAN.●

BILINGUAL EDUCATION: A NONCONFORMING VIEW

● Mr. HAYAKAWA. Mr. President, I will continue today to discuss with my colleagues the important issue of bilingual education and Dr. Rossier's paper, "Bilingual Education: A Nonconforming View." This second section focuses on the importance of understanding bilingualism as it pertains to individuals and the society as a whole.

We all grew up with the concept of the American melting pot, that is the merging of a multitude of foreign cultures into one. This melting pot has succeeded in a vibrant new culture

among people of many different cultural backgrounds largely because of a common language, English. In this world of national strife, it is a unique concept. I believe every Member of this body will agree that it had a fundamental impact on our Nation's greatness. In light of the growing emphasis on maintaining a second culture and instruction in the native languages, I ask myself what are we trying to do? Where do we want to go?

I believe Dr. Rossier has some valid points to make in his paper. He answers many of the questions I put forth above. I ask that the second part of Dr. Rossier's paper be printed in the RECORD and I urge my colleagues to study his theses.

The material follows:

BILINGUALISM, SI! BILINGUAL EDUCATION, NO!

It is important to understand that bilingualism is not socially undesirable as it is often characterized by critics of bilingual education but rather can be of positive value not only to the individual but also to society as a whole. The explanation of this is not difficult to understand; if the students we are talking about are immigrants (a cover term in this article for not only legal immigrants, but also for illegal aliens and refugees as well), and the vast majority of the pupils placed in bilingual programs are in this category, then our goal should be for them to learn to function well in English. By so doing they will add English of their first language—they will by definition become bilingual. Unless we believe that the ability to communicate in English creates social division rather than unity, it should be obvious that immigrant bilingualism will benefit our society rather than hurt it. The key point of dispute, then, has to do with whether students can learn the new language (English) more efficiently by means of instruction in two languages or in special English programs.

The critics

The social division criticism, though, has been the principal weapon in the rather puny arsenal of the unorganized and relatively ineffectual opposition to bilingual education. Former California State Superintendent of Public Instruction Max Rafferty, for example, blasted the concepts not long ago in the American Legion Magazine, calling it "The Hoax of the 80's." He argued forcefully that immigrant children should learn English so that the country would not be "Balkanized" but then demonstrated a complete lack of understanding of how they were to learn the language by attacking the phrase "English as a Second Language," a term that has been used in the United States for at least 15 years to signify a variety of educational programs and methods that have one thing in common: the goal of teaching immigrant students English by means of special instruction in English.

WHY BILINGUAL INSTRUCTION RETARDS LEARNING

What Rafferty and other critics have missed in the debate is the most telling argument of all. Bilingual opponents generally concede the very point that would most help them to invalidate the case presented for bilingual education by its champions. Quite simply, language number one cannot be learned by means of instruction in language number two—English cannot be

learned through instruction in Spanish or Chinese or in any other language. For several reasons which never seem to be brought out in criticism of the concept; bilingual instruction retards English language learning instead of advancing it. The amount of time that the learner has to interact verbally with speakers of the new language is of critical importance; in bilingual programs the amount of exposure to English language interaction is greatly reduced compared with that of other types of language programs.

More importantly, because of the heavy emphasis on translation in these programs, the bulk of the students are set back because they become inhibited about responding in English when they know that the teacher or aide understands them if they respond in their native language. Only a minority of highly motivated, gifted language learners have the drive to surmount this psychological obstacle. Learning to type by touch is roughly analogous to the learning of a new language. If a typing teacher allows her students to look at their hands while they are learning to type, this action will in time become habitual and the students will never be able to type with any appreciable speed. In the same way, immigrant students in bilingual programs become habituated to responding in their native language to their bilingual teachers and aides and find it difficult to ever reach a point in which they no longer translate from their first language to English but instead think in English when they are speaking English.

But critics of bilingual education apparently have scant understanding of second language learning and so there is little reason for optimism about the establishment of alternative programs to bilingual education—programs that would promote rapid and efficient learning of English so that young immigrants would be in a position to take advantage of the same educational opportunities that their American-born schoolmates have. Instead it appears that bilingual programs will endure and the bilingual bureaucracy will remain prosperous and politically powerful until the time when there is sufficient public recognition that it is against the public interest, and certainly against the best interests of immigrant children, that bilingual education continue.

A DISMAL RECORD—BILINGUAL EDUCATION RESEARCH AND EVALUATION

If the bilingual movement has an Achilles heel, it can be found in its truly dismal record of being unable to produce significant research and evaluation of an objective nature in support of the bilingual method. It would seem that in the considerably more than a decade that these programs have been operating in the schools that some fairly conclusive evidence could have been brought to light to answer the question, "Are bilingual programs, with all of the additional expense and disruption that they cause in the schools, doing a better job of teaching English than the educational programs they replaced?" Bilingual researchers have rarely if ever tried to answer this question. Instead they have studied and evaluated questions which were related only remotely to language learning and have shown little objectivity in doing so.

In the early 70's, Tucker and d'Anglejean of McGill University in Canada commented on the negative attitude of the early evaluators in Canada and the United States, claiming that, "A sense of pessimism seems to

prevail among many of the people associated with bilingual programs who claim what it is either not possible to evaluate their programs meaningfully or not really necessary to do so." Later both Theodore Anderson of the University of Texas and Bruce Gaarder of the United States Office of Education substantiated this appraisal of bilingual evaluation in reviews of some of the early program evaluations in this country while Bernard Spolsky of the University of New Mexico pointed out in 1973 that, "The only bilingual program on which, so far, we have good data is the St. Lambert School in Montreal * * *." It is worth noting that the now famous St. Lambert experiment was the original "language immersion" program, a very different concept than present day bilingual programs in the United States.

This inability to evaluate bilingual programs "meaningfully" continued and in 1978 Rudolph Troike, then Director of the federally funded Center for Applied Linguistics and a bilingual enthusiast, in attempting to promote increased funding for research on bilingual education, unintentionally focused the spotlight clearly on the failure of the bilingual people to come up with empirical justification for what they were doing. Troike pointed out that the Bilingual Education Act of 1968 (Title VII) was passed by Congress "largely as an article of faith, with little research to support it." This blind faith in the unproven bilingual method persisted and in his 1978 monograph written for the National Clearinghouse for Bilingual Education on research in bilingual education Troike admitted that "We have very little more of a research base for bilingual programs than we did 10 years ago." Looking past small-scale studies and doctoral dissertations whose value he said was limited, he confessed that, "Unfortunately, although evaluations should be a prime source of data on program results, the vast majority of them are worthless for this purpose."

As an indication of the inadequacy of most of the evaluations, Troike cited a survey done by the Center for Applied Linguistics in developing a master plan for the San Francisco School District in response to the Lau vs. Nichols Decision of the United States Supreme Court. The survey found that only 7 of 150 evaluations met even "minimal criteria for acceptability and contained usable information." Another survey done by the Northwest Regional Educational Laboratory resulted in the rejection of all but 3 of 108 evaluations and 12 of 76 research studies. The wonder of all of this is that the federal government alone has by Troike's own admission appropriated more than a half billion dollars (closer to a billion now) for bilingual education in a little more than a decade without a shred of evidence that this instruction has helped anyone except the bureaucrats themselves.

THE REDWOOD CITY PROJECT—UPSIDE DOWN CONCLUSION

At a critical stage in the political campaign of the bilingual movement, an evaluative study was published that would soon be used by partisans as some of the first empirical evidence that bilingual education did work in practice. Although Andrew Cohen, a young ex-Peace Corps worker and doctoral candidate at Stanford University, was cautious in expressing the generalizability of the results of his study of the Redwood City Bilingual Project, he wasn't at all reluctant to state that, "The preliminary results of this study are highly supportive of bilingual/bicultural schooling," and on the

strength of these admittedly preliminary results he recommended that "bilingual programs should be implemented and continued elsewhere."

Since the publication in 1975 of "A Sociolinguistic Approach to Bilingual Education," it has been one of the most frequently cited studies in support of bilingual education. For this reason, a brief analysis of the study and of its widespread influence can be very instructive in trying to understand how bilingual education propaganda has made much out of little. Cohen's study was carried out over a two year period, the 1970-71 and 1971-72 school years, and involved two groups of students, one experimental and one control, in two schools in Redwood City, California. In all, 90 Mexican-American (Cohen fails to distinguish between Mexican-American and Mexican students although approximately a third of these students in the experimental group and almost half in the control group were born in Mexico) took part in the experiment, with half receiving bilingual instruction of one type or another and half receiving instruction only in English.

Cohen's research questions centered principally on two comparisons. (1) After several years of bilingual instruction, were the children in the bilingual group as proficient in English language skills as were the comparison group children taught only in English? and (2) Were the experimental group students more proficient in Spanish? Cohen answered these questions affirmatively but this affirmation was questionable if one examined the data carefully.

Despite Cohen's conclusions, his data showed that for the majority of the measures of English language skills the comparison groups, not the experimental ones, were superior. In the critically important skill of reading, for example, although he minimized the differences, the data Cohen presented demonstrated that the comparison group was clearly superior in almost every measure. As for the other language skills, the results were more mixed but still favored the comparison groups. The really surprising results, though, indicated that the comparison students (who had no Spanish instruction) had done as well or better than the experimental students in a number of the measures of Spanish language, including reading.

Its critics

It was not until some years after the Cohen study was published that questions were raised about its value to the cause of bilingual education. To his credit, Rudolf Troike commented on the contradictory results in reading: "Three separate classes of students in the bilingual program scored significantly below a comparison group in English reading scores, and one bilingual class (the first pilot group) scored below the comparison group in Spanish reading—even though the latter had received no instruction in Spanish." The cat was out of the bag but Troike still aligned himself with Cohen in refusing to find fault with the bilingual method and instead reported that improper implementation of the method, not the method itself, was responsible for the disappointing results.

It remained for another authority on language teaching, Nicholas Hawkes of the University of York in England, to penetrate the rhetorical fog which was intended to mitigate the unfavorable results of the Redwood City Study. In reviewing Cohen's report of the study in the *International Review of Education* in 1979, Hawkes gently

posed a question that must have been devastating, however, to the limited number of bilingual proponents who would have read it: "Later results from grades 3-5—showed that by 1974 the English-only group were still doing remarkably well in Spanish compared with the B. E. children, yet were well ahead of them in English reading. One is therefore prompted to ask: if Spanish-speaking children who are taught no Spanish in school can compare so favorably in Spanish with bilingually taught children, while drawing ahead of them in English, is the Spanish medium element in schooling really essential to the realization of the linguistic aims of B. E.?" In asking this rhetorical question, Professor Hawkes had to know, of course, that without what he calls the Spanish medium element bilingual education would no longer be bilingual.

The Cohen study typified most of the research and evaluation of the last decade: the enthusiastic conclusions of the authors of these studies and evaluations seldom followed logically from the usually lengthy and complex compilations of data. The results of their research seemed of little consequence to the researchers or anyone else connected with bilingual education. What was important to them was that bilingual programs would grow in size and number by constant reinforcement of the myth that this instruction was superior to monolingual English instruction for linguistic minority students because it helped to maintain the home language without retarding English language development. At the same time, the question of special emphasis English programs was carefully avoided—the public concept that there was no alternative to bilingual education had to be established and then maintained.

Its influence—California State Department of Education

Despite the little-noticed revelations of its inadequacies, the Cohen study has had far more influence at the political level than almost any other research work. An example of the impulse it has given to bilingual education in California can be found in a publication of the California State Department of Education issued in 1981. The publication—"Bilingual program, Policy, and Assessment Issues"—consists of a number of scholarly papers written partly to counteract the effects on public opinion of two highly publicized and critical reports on bilingual education; both the federal funded American Institutes for Research (AIR) study of ESEA, Title VII bilingual programs and Noel Epstein's monograph on policy alternatives for bilingual education had in the late 70's shaken the public confidence in the bilingual concept. The California report, then, was an attempt to marshal as much authority as possible in order to repair the damaged image of the concept and to assert the state's leadership in this area.

Six nationally distinguished educators were commissioned by the State Department of Education to lead panels (made-up also of experts in various branches of education) which discussed pre-selected issues, formulated recommendations, and prepared written reports for inclusion in the publication. Chosen to write the most important section of the publication, that which dealt with non and limited English speaking students, were Heidi Dulay and Marina Burt, a research team with a national reputation for their study of second language acquisition. Dulay and Burt's treatment of the topic, by far the longest in the total report,

explored a number of both theoretical and operational facets of bilingual education and, in what is most important to this discussion of evaluation, concluded the sub-report with a defense of the effectiveness of bilingual programs.

In their defense, the writers roundly criticized the AIR Report and the Epstein Monograph for their methodological shortcomings and produced their own list of nine research studies and three bilingual demonstration projects that supposedly met their rigid standards for acceptable research design. An analysis of these studies listed under ten different categorical labels, shows that Cohen's study of the Redwood City Bilingual Project is used over and over again, appearing in seven of the ten categories. Further scrutiny shows that instead of the nine studies the authors claimed were acceptable, only five, in addition to Cohen's, appear in the categorical listings and of these five studies, two were conducted in foreign countries—the Philippines and Mexico—in which the linguistic and sociological situations were so different that valid comparisons of these studies with those of immigrant language programs in the United States cannot be made.

ALTERNATIVES TO BILINGUAL EDUCATION

In reality, there is a long history in this country of special educational programs for immigrant students going back to at least the early part of this public education in the state with the nation's largest population of immigrant children, champions bilingual education and attempts to base its support for the method principally on studies such as Cohen's in which the results directly contradict the conclusions of the researcher or on studies of foreign programs which are not relevant to the linguistic and sociological situations with which our own immigrant programs have to deal. None of the other sub-reports of the panels commissioned by the State Department of Education dealt directly with the evaluation of bilingual programs so it must be assumed that the Dulay-Burt contribution was considered to be the last word on the "effectiveness" of bilingual programs and will be used extensively in the future to rebut the critics of this type of education.

If little valid evidence has been produced to substantiate the bilingual lobby's grandiose claims, then it is logical to ask about the alternatives to bilingual education—what type of educational programs would serve best to help immigrant students to learn English as rapidly and as well as possible without at the same time overburdening the resources of most school districts? Putting aside for a brief time the subject of evaluating the evaluation of bilingual programs, it is important to correct one of the most pervasive fictions of the bilingual mythology—that is, that the only alternative to bilingual classes is what has come to be known as the "sink-or-swim" method. In this method, immigrant students are from the beginning placed directly into regular classes taught in English in which they receive little if any special help in learning to speak the new language.

And so the California State Department of Education, the nerve center for century. Los Angeles, one of the nation's largest immigrant centers, has had special English programs since 1915 and up until the advent of bilingual education in the 70's many tens of thousands of students who started their schooling speaking little or no English were successfully integrated into the school district's regular educational program after

they had been in these special classes. The programs were organized differently at the elementary and secondary levels and the instructional methodology varied somewhat over the years, but the common goal of this learning approach was to provide a special English learning environment away from the regular classroom until the student could begin to function on his own in a regular class with monolingual English speaking classmates. The best of these programs were based on the belief that students have different capacities for learning language and that only a small part of the language they would learn would come from formal instruction while most of their ability to function in the new language would come from their interaction with English speakers in varied school situations and also in their outside of the school. For this reason the majority of the immigrant language programs prior to the 70's were integrative in purpose rather than segregation as are bilingual programs.

Suppression of research

Unfortunately, there is almost no mention in the research literature of studies of this type of special English instruction in the years before the bilingual revolution, probably because the education of immigrant students had not yet been seen as having political potential and this situation is likely to continue for it appears that bilingual zealots will attempt to suppress any efforts directed at comparing alternative methods with the bilingual method. The huge Los Angeles Unified School District serves as a case in point. It is difficult to uncover much information about the inner workings of such a large school district and it is usually fruitless to speculate on the reasons behind actions taken or not taken at the administrative level. Nevertheless, this school district that claims to have almost 100,000 students in bilingual programs not only has avoided carrying out and publishing any type of study that would give objective evidence of the relative effectiveness of its bilingual programs but appears also to have detoured, hidden, or actually aborted studies that would compare other methods with bilingual instruction.

One study that apparently was aborted was to have been an evaluation of the Title VII Bilingual Schools Project for the 1977-78 school year. Information about the study is limited. It is known, however, that the experimental group for the study consisted of students in bilingual programs and the control group was made up of students who received only ESL instruction. Both groups were tested to determine the relative development of their English language skills and the data from the tests were sent to a private research firm, Bernard Cohen Research and Development Incorporated of Cambridge, Massachusetts, which had a \$29,000 contract with the district to evaluate the data. After the testing phase, official mention of the study ceases. No formal report on the results of the study, either written or oral, was ever presented to the Los Angeles Board of Education, the body which funded the study so that it would have information that would enable it to evaluate its bilingual programs.

The significance of this study should not be overlooked; while almost all of the studies of bilingual education have used control groups of comparable language minority students in classes (the AIR Study, for example), the Los Angeles study would have compared students receiving bilingual instruction with those placed in special groups

or classes which were designed exclusively to help them to learn to speak, read, and write English. Instead of comparing students in bilingual programs with students in a "sink-or-swim" situation who received little or no special help in learning English, the comparison would have been far more meaningful—bilingual education pitted against another special method.

In another, similar case in the same school year, a proposal for a study by a speech therapist in the Los Angeles School District was approved for funding by the board of education of that district. This study was designed to compare Spanish dominant students in one East Los Angeles elementary school who received instruction bilingually with those in another elementary school in the same area who received special English-only instruction. But the study never got off the ground because (as the initiator of the study related to me) district officials persuaded her to cancel the project because they said it would duplicate a study of wider scope planned at the state level. To date, however, the State Department of Education has not published any bilingual studies even remotely similar to the aborted Los Angeles studies.

At least three other studies focusing on immigrant English language learning in the Los Angeles schools have been buried in the archives of the Research and Evaluation Section of that district for a number of years. The earliest of these (Rossier, 1968) was a statistical analysis of 150 high school seniors (most of them from Spanish speaking countries) who had come to the United States either in their junior high school or senior high school years, studied English in a special English program in one of four Los Angeles high schools, and then had reached graduation. The study found that, despite their relatively short residence in the United States (3 to 6 years), these students compared favorably with their English speaking classmates in class ranking, grade-point average, occupational choice, and post-high school educational plans. The students' performance in the regular educational program was especially notable, with more than 61% of the group achieving a 2.00 (C) average or better for their three years in high school.

In 1975 Shea investigated student and parental attitudes toward the use of English and Spanish in a variety of situations, including their relative preference for English-only instruction, bilingual instruction, or Spanish-only instruction. The study, carried out in a San Fernando Valley junior high school whose student population was made up largely of Spanish surnamed students, found that a range of from 66.8 to 82.9% (depending on the subject field to be taught) of the 960 student respondents and 58.0 to 71.8% of the 254 parent respondents preferred English-only instruction.

The third study (Rossier, 1975) dealt with personality variables in the learning of English as a second language and produced data including the importance to the learner of in-school exposure to English in addition to structured English language lessons.

There is reason to believe, then, that meaningful, objective evaluation of bilingual education programs in the Los Angeles School District has been carefully avoided and, furthermore, that there has been a pattern of suppression of both district-initiated and independent research studies having potential for showing that there might be alternative educational programs that would be superior to bilingual programs. Whether

what has happened in Los Angeles is typical of the nation as a whole is difficult to say although we must remember that Troike's 1978 survey of evaluations nation-wide (with the considerable resources of the Center for Applied Linguistics and the National Clearinghouse for Bilingual Education behind him) found that most of these were "worthless" for producing data on program results.

AVOIDANCE OF OBJECTIVE RESEARCH AND EVALUATION

The whole area of study and evaluation of language programs for immigrants poses a series of intriguing questions and possibilities. In the first place, why has there been such reluctance to study and evaluate bilingual programs objectively? Stating the question a little differently, why isn't bilingual evaluation conducted by unbiased individuals or organizations that have no vested interest in the perpetuation of these programs?

Harking back to Troike's admission that there was little research evidence to support the idea of bilingual instruction when the Bilingual Education Act was passed in 1968, why after that didn't responsible educational researchers initiate studies that would allow us to compare operational bilingual programs with programs using alternative monolingual English methods? There was a time during the early years of bilingual education when this type of comparative study could have been carried out rather easily in many parts of the United States, but it would be difficult today because the bilingual politicians have created a monopoly situation in many states—one in which no other special language program is permitted either because of legislative prohibition or because of federal or state funding regulations.●

THE LOSS OF SKILLED WORKERS AT STAKE IN EXIM DEBATE

● Mr. GARN. Mr. President, I have been a long-time supporter of the Export-Import Bank. It plays a crucial and irreplaceable role in defending many of our most critical industries against the predatory trade practices of our export competitors.

A weak, inactive Bank will result in a decline in the profitability—and perhaps the viability—of our high-technology, aerospace, machine tool, electronics, and capital goods industries. It will also result in the severe loss of jobs in these important sectors, which means not only greater unemployment but the unemployment of some of our most highly skilled and productive workers. We cannot afford that, either socially, economically, or strategically.

I recently received a letter from one such employee. I ask that the text of the letter be printed in the RECORD and urge my colleagues to ponder its message as we consider the funding levels for the Export-Import Bank.

The letter follows:

SEPTEMBER 5, 1982.

HON. JAKE GARN,
U.S. Senate, Chairman, Banking, Housing,
Urban Affairs, Senate Office Building,
Washington, D.C.

DEAR SENATOR GARN: I have recently become aware of a possible government

action, which shall seriously affect the Export-Import Bank.

As I understand it, the Export-Import Bank is an agency of the United States Government. It was created in 1934 and since 1948 it has successfully devoted its efforts exclusively toward promoting exports by arranging financing for overseas business to purchase American made products. It has provided essential business service to industry and labor. Any cut by Congress in the agency's borrowing and lending authority shall reduce the amount of money available to be loaned to overseas business. This without question would reduce the Bank's effectiveness, which would result in lower exports. This would have a dire effect on the company for which I work (Kropp Forge, Div. of Anadite) and could definitely result in the termination of my job along with many other employees.

Senator GARN, I am at a loss to understand such senseless contemplated action towards the Export-Import Bank, because the Bank uses no tax money and is not a drain on the Federal Treasury, therefore, has no effect on any increase in the Federal Budget. Furthermore, such callous action at this time would prevent a full economic recovery.

The Bank's borrowing and lending authority must not be cut if American Business and Labor are to successfully meet the challenge of its chief competitor in aircraft manufacturing, which is Airbus Industrie, a consortium formed by European capital and the governments of France, Germany and the United Kingdom.

These foreign governments are working closely together with private capital. There is no question in my mind that the ingenuity of American Business and American Labor, working together with our government, can successfully meet the productive challenge of Airbus; but only if the Bank's authority remains firmly secure. This is another must for our economic survival and the survival of our free competitive enterprise system. We cannot take this foreign challenge too lightly.

Senator GARN, as the chairman of the Senate Banking Committee, I implore you to lend your support for a continued strong Export-Import Bank, which shall continue to serve American Business and which, from such service, American Labor is a beneficiary. Thank you.

Sincerely,

THEODORE PIEKARCZYK.●

ADEQUATE R&D FUNDING AND THE INTEGRITY OF THE SUPERFUND LAW

● Mr. GLENN. During the recent debate on the HUD-independent agencies appropriations, I supported the attempt to restore \$39 million for EPA's R&D budget and \$30 million for Superfund.

It is crucial for EPA to have the benefit of basic, continuous, and thorough quality research conducted in and out of Government in order to set effective health and environmental standards. If EPA's 1983 budget is approved, this administration will have cut EPA funding by 40 percent from the fiscal 1981 budget. At a time when EPA's workload is increasing, we must allocate funds for scientific research to identify the chemicals which may en-

danger human health, to determine what levels of pollution may be hazardous and to provide a basis for enforcement of existing laws. Without sound scientific data, we not only risk failure to identify environmental threats, but we also risk having industry impose costly controls that better research would have shown to be unwarranted.

In 1980, Congress passed the Superfund legislation to establish a Federal fund to finance cleanup of abandoned or uncontrolled waste sites. I supported this legislation to begin the enormous task of identifying and cleaning up these sites. There are an estimated 10,000 abandoned or uncontrolled hazardous waste dump sites, and EPA now has an interim priority list of 160 sites that qualify for Superfund assistance. We cannot misuse the budget process to renege on the commitment to the thousands of citizens whose health is threatened by these sites.

I regret that this amendment failed to pass the Senate; however, I will continue to work toward the goals of adequate R&D funding and the integrity of the Superfund law.●

PRESIDENT CHUN'S PLAN FOR PACIFIC SUMMITS

● Mr. HAYAKAWA. Mr. President, on July 31, 1982, President Chun Doo Hwan of the Republic of Korea proposed that the leaders of the nations of the Pacific Community meet annually to discuss matters of mutual concern to those nations lying within the Pacific Ocean basin and to consult on ways and means for mutual cooperation among the Pacific basin nations.

This is an interesting proposal. We are all aware of the fact that the nations of the Pacific basin are advancing rapidly as an economic center of the world. In 1979, American trade with those nations lying within the Pacific basin exceeded, for the first time in history, total American trade with the nations of Western Europe. The total exports of manufactured goods by the newly industrialized countries of Asia—South Korea, Taiwan, Hong Kong, and Singapore—are now one-third greater than those of the remaining newly industrialized countries of the world, namely, Mexico, Brazil, Spain, Portugal, Greece, and Yugoslavia. It now appears possible that by the year 2000, the combined industrial power of Japan, South Korea, Taiwan, Hong Kong, Singapore, and Malaysia may be greater than that of the United States or Western Europe, according to Paul Seabury, author of "America's Stake in the Pacific," published in 1981.

It is imperative, therefore, that the United States continue to be an active and vigorous partner of its neighbors in the Pacific region. President Chun's

proposal is an important contribution to the region's thinking and planning for the future. It should be given serious consideration by all the nations of the Pacific basin.

Mr. President, I therefore, ask that President Chun Doo Hwan's proposal be printed in the RECORD.

The proposal follows:

PRESIDENT CHUN'S PLAN FOR PACIFIC SUMMITS

The following is the text of the portion of the President's news conference on July 31 in which he described his plan for annual Pacific summit meetings:

First, I believe the shortest way to overcoming various restrictions, obstacles and challenges lying in the way of the realization of the Pacific age is the introduction of a systematic consultative apparatus under which top leaders of Pacific-rim countries can meet periodically to discuss matters of mutual concern and consult on ways and means of mutual cooperation.

Needless to say, summit diplomacy is the most effective way to solve most difficult and urgent nation-to-nation problems.

Second, it is my hope that this consultative organ will, in principle, open its door to all the countries in the region.

Third, I think that respect of sovereignty and independence, reciprocity, equality and noninterference in the internal matters of other countries should be the basis of relations among the countries in the region. I also think that hegemony by any country should not be accepted and the organization should not be politically tainted or become a bloc.

Fourth, I feel that the question of exploring the endless potential which the regional countries have for multilateral development and expansion of trade, reinforcement of economic and technological cooperation manpower development, expansion of communications networks and increasing educational and cultural exchanges could be the key concerns of the consultative organ.

Fifth, I believe firmly that cooperation between advanced countries and developing nations and an increase in the cooperation among developing countries in the region will, if deepened, be able to set an example for solving the so-called South-North question.

The successful materialization of a Pacific summit conference will require consent by the countries in the region.●

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

MILITARY CONSTRUCTION APPROPRIATIONS, 1983

The PRESIDING OFFICER. Under the previous order, the hour of 12 noon having arrived, the Senate will proceed to the consideration of H.R. 6968, which the clerk will state by title.

The assistant legislative clerk read as follows:

A bill (H.R. 6968) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1983, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. BAKER. Mr. President, the managers of the bill are here. I yield the floor so that they may proceed.

The PRESIDING OFFICER. The time for debate on this bill is limited to 1 hour, to be equally divided and controlled by the Senator from Nevada (Mr. LAXALT) and the Senator from Tennessee (Mr. SASSER) or their designees with 30 minutes on any amendment in the first degree, 20 minutes on any amendment in the second degree, and with 10 minutes on any debatable motion, appeal, or point of order.

The Senator from Nevada is recognized.

Mr. LAXALT. Mr. President, I am pleased to bring before the Senate, H.R. 6968, the military construction appropriations bill for fiscal year 1983. This bill, as reported by the committee, has been carefully reviewed and contains projects which we believe are necessary and justified for improved living and working conditions for our military personnel, as well as for the improved readiness posture so vital to our national security.

The recommendation for appropriations for military construction and military family housing for fiscal year 1983 is \$7,099,708,000.

This amount reflects a reduction from the President's request of \$1.1 billion and an increase to the House proposal of \$99.5 million. It also should be mentioned that both the House approved bill and this bill before us today contain less appropriations than were approved in fiscal year 1982.

And for the record, the recommendation is over \$400 million below the subcommittee's allocation in budget authority and approximately \$10 million below the outlay allocation.

Mr. President, the Department of Defense used military construction as one of the accounts in which reductions were made during the budget compromise. The suggested reductions have resulted in authorization reductions of nearly \$800 million from the President's request. When this amount is added to the nearly \$300 million in add-on projects recommended by the House—all of which are unbudgeted and presently not authorized for appropriation—one can easily see how the committee was able to make such a sizable reduction to the request.

Let me briefly discuss the reductions to the President's budget recommendation by the committee.

In order to meet the subcommittee's outlay allocation, the committee has proposed making reductions which would have the least effect on readiness and operational requirements. However, programs designed to sup-

port quality of life items—particularly housing—have been recommended for funding.

As I mentioned earlier, the House included nearly \$300 million in add-ons which were not a part of the President's request. None of these projects have been included in the bill now before us. However, it should be noted that while these projects have not been authorized for direct appropriation, it is the committee's hope that because of the continued good bidding climate being experienced, many or all of the projects can be accomplished late in fiscal year 1983 using cost savings through the reprogramming process.

I want to assure my colleagues that all of the projects added by the House have been deferred without prejudice, and each one will be considered during our conference with the House.

The committee has also recommended reductions to the family housing account. While all new construction is recommended at the authorized level, reductions have been made to the operations and maintenance account. It is this account which provides the greatest percentage of outlays in the military construction bill. I would like to note that while the reductions are recommended they are based on increases to last year's appropriation.

Mr. President, the one other main area of reductions is in what must be considered what we classified as "nice to have" facilities. The committee recommendation defers without prejudice gymnasiums, chapels, and religious centers, child care centers, family service centers, recreation and education facilities, and Defense schools. Please note that each of the projects deferred is included in the House bill and will be considered during our conference. The projects deferred have resulted in saving of approximately \$87 million.

Mr. President, the committee has made all of the recommended reductions without prejudice to the individual projects. Most of them are justified and provide our military personnel with needed facilities. It should be noted, however, that this body voted earlier this session to deny authorization for these projects and many more. It is the committee's intention to fund as many projects as possible which can be agreed to in conference.

Now, Mr. President, let me highlight a few of the more positive aspects of the bill:

Funding in the amount of \$335.2 million has been included for facilities to support the rapid deployment force in the Persian Gulf and Indian Ocean area of the world. Part of this amount—\$178.6 million—is for the initial construction at Ras Banas, Egypt. The committee and the Senate have continually gone on record in support of the Egyptian facilities. Secretary

Weinberger has also sent me a letter to let me know of the administration's strong desire to proceed with the project. The Senate conferees will work diligently on this item during conference.

There is more than \$2 billion for projects throughout Europe which will greatly improve the living and working conditions of our military personnel; \$85 million is included for facilities to support the ground launched cruise missile.

Facilities for testing and maintenance on the MX missile are included at \$36.7 million. These projects are in no way related to site-specific facilities concerned with the basing mode.

Mr. President, I want my colleagues to clearly understand, because they are intensely interested in this very controversial project, we made no determination in connection with site-specific facilities concerned with the basing mode at this time, pending the recommendation by Mr. Weinberger to the President, and as I understand the schedule, a determination by the President before December 1 of this year.

Also included in the bill is \$67.7 million for phase 1 construction of the Consolidated Space Operations Center in Colorado a matter of intense importance also in this Chamber. The committee supports this vital project which will provide facilities to support satellite and Shuttle operations. The committee has included extensive report language on this project with regard to the land title, additional land requirements, and the computers to be included in the facility which are, for the record, not funded through this bill. I would like to clarify for the record the intent of the committee of this project. The committee has asked the Air Force to obtain a fee simple title for the property in question.

We are not locked into fee simple as such. What we want under Colorado law is the best title we can have for commercial purposes. Whether pure fee simple is going to come down in view of the fact we have Colorado owning title to the property under the provision of their constitution, I do not know; but, very simply said, we have indicated that the Air Force, the people involved, should want the best possible title to be authorized under Colorado law.

This title should, if possible, be obtained while initial construction proceed. It is the committee's understanding, however, that under Colorado law the fee simple procedure may not be feasible and could end up being costly to the Federal Government. While the committee believes that the fee simple would be the clearest title, it is not our intention to sidetrack the project over the title. The Air Force has been directed to report back to the committee

not later than December 1 of this year on all land issues regarding the project. At that time, the committee will certainly be open to the proposals which are deemed most appropriate for this situation. The committee has learned of the cooperation being extended by the Colorado State Land Board on this issue, and hopes that the Air Force takes full advantage of the opportunity to obtain the necessary land in the clearest title possible.

Mr. President, I ask unanimous consent that a letter I received this morning from the Under Secretary of the Air Force be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE AIR FORCE,
OFFICE OF THE UNDER SECRETARY,
Washington, D.C., September 27, 1982.

HON. PAUL LAXALT,
U.S. Senate, Washington, D.C.

DEAR SENATOR LAXALT: In the absence of Secretary Orr, I would like to state my understanding of your discussion with him on the land issue for the Consolidated Space Operations Center (CSOC), and of the language on this subject contained in your report on the fiscal year 1983 MILCON Appropriations Bill. Your desire is that we obtain fee title of a section of land offered by the State of Colorado, and evaluate carefully the possibility of acquiring additional land surrounding the site. These actions, however, are not to impede construction.

We will proceed immediately and acquire the right-of-way in perpetuity from the State of Colorado, which has the approval of our counsel and the Attorney General, as the initial basis for construction. Concurrently, we will open negotiations with the state to acquire fee title. We will also evaluate, both from an Air Force perspective and in conjunction with the State of Colorado, the possible acquisition of three adjacent sections of state-owned land and other adjacent land, and will report to you as requested by December 1, 1982. We would plan to seek authorization and appropriation in fiscal year 1984 for any additional funding required for title acquisition.

I trust that my understanding and the actions outlined are in keeping with the intent of the committee's direction. The Air Force, as always, is appreciative of the continuing support of your committee.

Sincerely,

E. C. ALDRIDGE, JR.

Mr. LAXALT. Mr. President, this letter explains the Air Force position on the language concerning the Consolidated Space Operations Center.

Mr. President, the military construction bill is relatively small in total dollars, but is comprised of over 1,500 individual line items. I sincerely believe that the recommendation before the Senate today supports the most vital military construction projects that are so directly involved with our day-to-day national defense operations. The reductions made in this bill are not pleasant to all of our Members; however, I believe that the support of the Senate for this bill will make people aware that this body wants to reduce

spending and that a defense bill is taking its fair share.

Mr. President, I seek the support of my colleagues in passing this bill as reported.

Mr. President, that concludes my formal opening remarks.

Mr. President, I now ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendments as original text, provided that no point of order shall be considered to have been waived by agreeing to this request.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 7, strike "\$941,570,000", and insert "\$982,810,000";

On page 2, line 9, strike "\$137,900,000", and insert "\$145,240,000";

On page 2, line 15, strike "And", through and including the end of line 18;

On page 2, line 25, strike "\$1,120,813,000", and insert "\$1,047,040,000";

On page 3, line 3, strike "\$110,000,000", and insert "\$111,792,000";

On page 3, line 13, strike "\$1,420,825,000", and insert "\$1,657,457,000";

On page 3, line 16, strike "\$102,453,000", and insert "\$147,453,000";

On page 4, line 3, strike "\$289,145,000", and insert "\$305,143,000";

On page 4, line 17, strike "\$10,000,000", and insert "\$19,000,000";

On page 5, line 16, strike "\$54,958,000", and insert "\$51,100,000";

On page 5, line 24, strike "\$127,900,000", and insert "\$106,800,000";

On page 6, line 6, strike "\$41,800,000", and insert "\$42,800,000";

On page 7, line 4, strike "\$146,781,000", and insert "\$117,611,000";

On page 7, line 5, strike "\$864,645,000", and insert "\$834,245,000";

On page 7, line 6, strike "\$1,054,610,000", and insert "\$995,040,000";

On page 7, line 16, strike "\$104,091,000", and insert "\$98,921,000";

On page 7, line 18, strike "\$741,400,000", and insert "\$736,230,000";

On page 8, line 3, strike "\$143,004,000", and insert "\$110,904,000";

On page 8, line 5, strike "\$929,271,000", and insert "\$897,171,000";

On page 8, line 16, strike "\$433,000", and insert "\$593,000";

On page 8, line 17, strike "\$14,233,000", and insert "\$14,393,000";

On page 10, strike line 24, through and including page 11, line 2;

On page 11, line 3, strike "110", and insert "109";

On page 11, line 9, strike "111", and insert "110";

On page 11, line 14, strike "112", and insert "111";

On page 11, strike line 20, through and including line 24;

On page 12, line 1, strike "114", and insert "112";

On page 12, line 5, strike "115", and insert "113";

On page 12, line 12, strike "116", and insert "114";

On page 12, line 19, strike "117", and insert "115";

On page 13, line 6, strike "118", and insert "116";

On page 13, after line 15 insert the following:

SEC. 117. Pursuant to 10 U.S.C. 2394 and section 201 of the Military Construction Authorization Act, 1983, the Navy is authorized (a) to construct and operate a refuse derived fuel-fired electric power generating plant and (b) to contract for fuel supplies at the Norfolk Naval Ship Yard (NNSY). Any electric power and fuel supplies produced in excess of the needs of the Navy may be sold: *Provided, however,* That any proceeds from such sales, adjusted for costs related thereto, shall be credited to the Treasury as miscellaneous receipts.

SEC. 118. None of the funds appropriated in this Act may be obligated or expended in any way for the express purpose of the sale, lease, or rental of any portion of land currently identified as Fort DeRussy, Honolulu, Hawaii.

Mr. LAXALT. Mr. President, at this time, I would like to express my thanks to the distinguished Senator from Hawaii, Mr. INOUE, who is acting for the ranking minority Member, Mr. SASSER, during consideration of this bill. As always, the support from the members on the other side of the aisle for this bill continues to be strong. I would like to say that since I became chairman and even prior—that the members of the subcommittee work in the true spirit of cooperation.

Mr. President, we have had many difficult decisions in connection with this piece of legislation. The cooperation I have enjoyed with Mr. SASSER and other Members on the other side of the aisle has been excellent.

Mr. President, I yield to the Senator from Hawaii for any comments which he may wish to make on the bill.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, I wish to thank the chairman of the subcommittee for his very generous remarks. As noted by the chairman, the Senator from Tennessee (Mr. SASSER), the ranking member of the subcommittee, is away on official business and, regrettably, cannot be with us. However, I have been asked to present to the Senate remarks which were prepared by him earlier.

(By request of Mr. INOUE, the following statement was ordered to be printed in the RECORD:)

● Mr. SASSER. Mr. President, I am delighted to join with my colleague from Nevada in urging quick passage of this \$7.1 billion military construction appropriations bill for fiscal year 1983. Clearly our subcommittee and the full Senate Appropriations Committee have kept the bill within the limits set by the President's budget and by the first budget resolution.

The budget authority recommended in the bill as reported is \$1.1 billion less than the President requested and \$400 million below the subcommittee's allocation under the budget resolution. In fact the bill contains \$16.3 million less in budget authority than we

provided in the current fiscal year. Furthermore the bill more than meets the outlay targets set for the military construction Subcommittee by its budget resolution allocation.

At the same time, Mr. President, I believe we have to be careful not to make crippling cuts in the military construction budget in our search for a reduced deficit. Although reductions in these programs may have a relatively modest immediate effect they can have serious long-term consequences because this bill provides for the infrastructure that is vital to a strong military presence—the dock facilities that are essential for naval operations, the runways and hangars that our Air Force cannot do without, and the housing that is a significant factor in the morale of our military personnel.

With regard to this last item, I am glad to be able to tell my colleagues that your committee has funded all authorized housing projects although it has had to defer funding for related projects such as gymnasiums, child care centers, and Department of Defense schools.

In summary, Mr. President, I wish we had been able to make a bigger dent in the backlog of military construction projects but this clearly is a sound bill given the difficult budget targets we have to meet to get Federal spending under control. I look forward to the day when a stronger economy and the elimination of waste in the Federal budget make it possible to do more.●

Mr. MATTINGLY. Mr. President, I rise in support of the legislation and urge my colleagues to vote for the military construction bill that has been reported to the Senate by the Appropriations Committee and the Subcommittee on Military Construction.

As a member of that subcommittee, I am well aware of the difficult choices that had to be made in insuring that the bill met the vital needs of our defense facilities while not exceeding the spending limits that had been established by the budget resolution and the appropriations committee allocations.

The distinguished chairman of the subcommittee, Senator LAXALT deserves the credit for reporting a bill that I believe should be supported by all who recognize the need for a strong defense while remaining acutely aware of the need for budgetary restraint.

The bill as reported to the Senate is more than \$1 billion under the budget request for fiscal year 1983 and is \$16 million under the 1982 appropriation for military construction activities.

In order to achieve these necessary budgetary reductions, many worthwhile projects were unable to be funded, including several in my home State. These difficult decisions, while disappointing, were necessary in order

for the bill to meet the military construction needs of our Defense Establishment while at the same time staying within the spending levels that had been established.

The chairman of the subcommittee has responded to this difficult assignment by reporting a bill that will strengthen our defense posture without busting our budget.

The decisions made on facilities expansion efforts in the Persian Gulf/Indian Ocean; on MX missile program construction; on the NATO infrastructure program and on the other many, major items considered by the subcommittee can all be recommended to my colleagues.

I would also like to thank the staff director of the Military Construction Subcommittee Mr. Richard Pierce for all of his valuable assistance in preparing the legislation.

I urge adoption of the legislation.

Mr. DOMENICI. Mr. President, H.R. 6968 as reported by the Appropriations Committee provides for \$7.1 billion in new budget authority and \$2.1 billion in outlays.

Mr. President, I ask unanimous consent that a table showing the relationship of the reported bill to the congressional budget and the President's budget request be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

MILITARY CONSTRUCTION SUBCOMMITTEE SPENDING TOTALS

(In billions of dollars)

	Fiscal year 1983	
	Budget authority	Outlays
Outlays from prior year budget authority and other actions completed		4.0
H.R. 6968, as reported in the Senate	7.1	2.1
Possible later requirements		
Total for Military Construction Subcommittee	7.1	6.1
First budget resolution 302(b) allocation	7.5	6.1
House-passed level	7.0	6.1
President's request	8.2	6.4
Subcommittee total compared to:		
First budget resolution 302(b) allocation	-0.4	
House level	+0.1	
President's request	-1.1	-0.3

Mr. PERCY. Mr. President, I had considered introducing an amendment to the bill restoring appropriations in the amount of \$3.3 million for the construction of a new gymnasium at Chanute Air Force Base, in Rantoul, Ill. This project was included in the administration's fiscal year 1983 request, and appropriations in this amount have been authorized in the conference report of S. 2586, the fiscal year 1983 MILCON authorization bill.

The gymnasium currently in use at Chanute is a wooden building that was built as a temporary structure at the beginning of World War II. Chanute is authorized, based on current military strength, gymnasium facilities total-

ling 75,000 square feet of adequate space, but the old gym provides only 26,052 square feet of adequate space. The population of Chanute is younger than that found at most military installations because of the large number of students attending its various technical training schools. This fact, coupled with weather conditions which are frequently not suitable for outdoor recreation, has created a priority need for a new indoor physical conditioning facility. Unfortunately, the threatened closure of Chanute in 1978-79 put a cloud over new MILCON projects at the facility, and long overdue construction needs, such as the new gymnasium, were repeatedly deferred.

With this background in mind, I was especially disappointed that the Appropriations Committee deemed it necessary to defer funding for this project. I recognize that the committee deferred funding for all military gymnasiums, but I firmly believe that the MILCON backlog at Chanute is a special case requiring exceptional treatment.

For this reason, I was heartened by the distinguished Senator from Nevada's remarks that the deferral of funding for gymnasiums was without prejudice and that he hoped that many of these projects could be restored in conference. With this assurance, I will not introduce an amendment pertaining to Chanute.

Mr. LAXALT. I thank the distinguished Senator from Illinois for his understanding on this important project. As the Senator has stated, the committee deferred without prejudice all gyms, as well as several other types of projects, as I mentioned in my remarks on the bill.

While the committee has continually supported these types of facilities, it was necessary, due to budgetary constraints, to make reductions in the bill to meet our allocations under the Budget Act.

I would like to assure the Senator that the conferees will work to include as many of the deferred projects as possible when we meet with the House on this bill. It is certainly not the intent of the committee to deprive our military personnel of facilities such as this gym at Chanute Air Force Base. And I will remember my distinguished colleague's interest and understanding on this matter when our conferees consider the bill.

Mr. PERCY. I thank the Senator for his remarks.

Mr. ARMSTRONG. Mr. President, the legislation before us paves the way for the Air Force to assume command for the United States in space.

The committee has approved the full \$67.7 million requested by the Air Force for construction of the Consolidated Space Operations Center near Peterson Field in Colorado, and has

lifted the freeze that heretofore has prevented design work for CSOC from proceeding to completion. But now the way is clear for the United States to overtake the Soviet Union in the race for preeminence in the last and greatest frontier—space.

I understand the committee still has some questions about the CSOC project. But these questions do not threaten the CSOC project or its location in Colorado Springs. Rather, these are the sort of questions that strong supporters of the CSOC project, as I know Senator LAXALT and other members of the Military Construction Subcommittee are, might arise.

The distinguished chairman has made it clear that work on the CSOC project may go forward while the Air Force work out mutually satisfactory answers to these questions. The Air Force is pleased with the result. The country will benefit from the committee's hard work. I wish to express my congratulations to Senator LAXALT and to the other members of the Military Construction Subcommittee for their hard work and their strong support for the CSOC project and America's role in space.

Mr. PERCY. Mr. President, I would like to comment briefly on an amendment which is part of the military construction appropriations bill. As many of my colleagues know, earlier this year Secretary Weinberger indicated his willingness to sell a portion of Fort DeRussy in Hawaii to help reduce the national debt. This parcel of 17 acres, a portion of the 72-acre parcel which comprises Fort DeRussy, also appeared on a list which the Department submitted to the Property Review Board as excess to its needs. Although this is only a portion of the President's property disposal program, it is an important symbol of our need to sell lands we simply do not need in order to relieve some of the tremendous burden of our \$1 trillion national debt.

Today's military construction appropriations bill contains an amendment, introduced by Senator INOUE, which stipulated that:

None of the funds appropriated in this act may be obligated or expended in any way for the express purpose of the sale, lease, or rental of any portion of land currently identified as Fort DeRussy in Honolulu, Hawaii.

According to the General Counsel's Office at the Department of Defense and the Senate Legislative Counsel, this amendment would be legally ineffective. Because funds for the sale of Fort DeRussy would not come from military construction appropriations, but from operations and maintenance accounts, the Department would still have the legal authority to sell the property.

Therefore, I have no objections to this amendment. However, I would like to reiterate my support for the

President's property sales initiative, and to urge my colleagues in the Senate to do the same. We are faced with a situation now where we are losing billions of dollars each year in opportunity costs because we are holding onto Federal properties which we simply do not need. In view of the tremendous economic difficulties we are facing as a nation, we must not allow this situation to continue.

Mr. INOUE. Mr. President, I wish the RECORD to note that this measure of great magnitude and importance is before us on a unanimous vote. Every member of the Appropriations Committee voted in favor of its adoption and passage.

It should also be noted that, as of this moment, no Member of the U.S. Senate has indicated any desire to amend any portion of this measure. I think it speaks very highly of the leadership shown by the Senator from Nevada and I commend him.

Mr. LAXALT. I thank the Senator.

Mr. President, I think due credit should be given, as is very often the case in this Chamber, to some excellent staff work. We had any number of problems in connection with this bill and the fact that we stand before you today, as the distinguished Senator from Hawaii has indicated, by unanimous consent of the committee and no request for amendments, I think speaks to the excellence of the staff work. I wish to commend Rick Pierce of my staff and several others—from Members' staffs—who have worked so hard and long.

Mr. President, I do not think we have any amendments or any further comments. I think we can proceed to final passage. Third reading is requested.

Mr. INOUE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAXALT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAXALT. Mr. President, if there are no other problems, we can proceed now to final passage.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Is all time yielded back?

Mr. LAXALT. All time is yielded back on our side.

Mr. INOUE. All time is yielded back on our side.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 6968) was passed.

Mr. LAXALT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LAXALT. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make clerical and technical corrections in the engrossment of the Senate amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAXALT. Mr. President, I move the Senate insist upon its amendments and request a conference with the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PERCY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEBT COLLECTION ACT OF 1982

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of H.R. 4613, which the clerk will state by title.

The bill clerk read as follows:

A bill (H.R. 4613) to increase the efficiency of Government-wide efforts to collect debts owed the United States and to provide additional procedures for the collection of debts owed the United States.

The PRESIDING OFFICER. The time on this bill is limited to 30 minutes to be equally divided and controlled by the Senator from Illinois and the Senator from Hawaii or their designees, with the only amendment to be in order to be an amendment to substitute S. 1249 as reported on H.R. 4613.

The Senate proceeded to consider the bill.

Mr. PERCY. Mr. President, I have talked to Senator DOLE, the chairman of the Finance Committee, and both he and I have agreed that a rollcall vote would be desirable. I understand there is a request from the minority for a rollcall vote. It is my understanding that such a rollcall would occur at 2 p.m. on tomorrow. Mr. President, at this time I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator is correct. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. PERCY. Mr. President, as specified in the unanimous-consent agreement on H.R. 4613, the Debt Collection Act of 1982, I am offering one amendment which would substitute S. 1249 as amended for the House bill. S. 1249 is the Senate version of H.R. 4613 which incorporates the four provisions of the House bill and expands upon it to include several other key reforms to the Federal Government's debt collection efforts. The substitute bill, S. 1249, was reported out of the Senate Governmental Affairs and Finance Committees unanimously last year, and several of its provisions have been acted on favorably in the House. Today we have the opportunity to pull all of the pieces of this legislative package together by approving this amendment to H.R. 4613 and sending the bill to conference.

I would like to take this opportunity to thank Senator DOLE for his tremendous assistance in moving this bill through the Finance Committee. Also, I am indebted to Senator ROHR for his help as chairman of the Governmental Affairs Committee, his deep interest, and his dedication to the principle of good government.

In addition, I thank the 36 Senators who have given their support as co-sponsors to the debt collection legislation. Most of all, I congratulate President Reagan and his able Budget Director, David Stockman, for giving their full support to this legislative effort. Their commitment to cleaning up this most costly area of Government waste is a sure sign of their dedication to the interests of the taxpayers of the country.

This legislation addresses the most appalling examples of waste and mismanagement of Government funds I have encountered in my 16 years in the U.S. Senate. It was nearly 2 years ago that Senator SASSER and I held the first hearings in the Governmental Affairs Committee on the Government's debt collection problems. At that time, we discovered that \$25 billion owed the Federal Government was delinquent. Since 1980, delinquent debts have grown to a staggering \$40 billion, according to the latest OMB estimates. These delinquent debts consist of \$14 billion in defaulted government loans, \$3 billion in overpayments to beneficiaries of Government programs, and \$23 billion in delinquent taxes. For those of us who have lost sight of how much \$40 billion is, it represents over \$400 for each taxpayer in this country.

The consequences of these substantial losses are both serious and wide ranging. The financial burden of delinquent debt increases the cost of Government. For example, assuming a 15 percent interest rate, the Government is paying over \$15 million each day of the week for interest—interest alone—

on these uncollected debts. Also, when these loans are not repaid on time, funds for new loans will not be available for those who need them. But most important, these uncollected debts contribute to a loss of confidence in the Government and its programs by the taxpayers. If we do not crack down on those defaulting on a Government loan, how can we justify asking our honest constituents to make sacrifices to cut Federal spending?

One of most discouraging aspects of this, Mr. President, was the pattern of default developed by young people on our campuses. I do not know how it all started, but possibly, some students began to feel that this was not a real loan, the paper they had signed did not really mean they had to pay it back, that was, after all, the Government and there were other students who got scholarships. This was just another form of scholarship, maybe. I do not know how they rationalized it but it began a pattern of default that reached alarming proportions. It got to a point where students would notify and advise each other as to how they could get out of these loans.

They discovered, for example, that if a student received three notifications and did not answer them or they just sent back an "address unknown" or changed address and did not leave a forwarding address, it would go in the dead-letter file. They would be dropped from the rolls and it would not be discovered; whereas, if they defaulted on any other bill, a credit bureau would be notified and they had better not have a bad credit rating. They knew what the bad credit rating would be. If they defaulted on their student loans, no credit bureau was ever notified. If they did not honor, say, a credit card bill for a suit of clothes and they were notified, that business would turn it over to a collection agency. They would get a very persistent collector; no matter where they went, he would find them and they had better pay these bills.

But the Government, on the money that was provided to them to get their education, seemed to be the least aggressive, the most uninterested, and gradually, this pattern developed so that the alarming rate of student loans in default reached unacceptable levels.

Certainly, I shall never forget when we had six medical schools, including Harvard and Howard, from various ranges because the medical profession generally is well paid. I believe the average salary for a physician today throughout the country runs around \$83,000. So it is not a question of inability to pay, particularly when we, by going through the records, discovered that many doctors long since graduated were in serious default on

their student loans, but had an otherwise absolutely unblemished credit rating in their community. They would pay their country club bills, they would pay for their automobiles, they would pay for their vacations abroad. They had to. But they just had never bothered to pay the Government back.

Another area that was of great difficulty was the employees hired by the Federal Government, with high degrees, some of them with masters and Ph. D. degrees, who never would have received that employment if they had not had that student loan. Some of them were even in the Department of Education, earning \$50,000 a year with a Ph. D., but had never paid back their student loan.

I shall reference a few of these cases, perhaps, later in my comments, but as we worked on this, we saw that it was yet another example of Government inefficiency. So inefficient was the system that exists right now, that a student or an individual could borrow money from, say, one lending program of the Federal Government, default on that, and have no difficulty borrowing money from another Federal program or another Federal agency. It could be as many as five or six in a row. Each Federal agency would not know there had been a default. But if anyone tried to borrow money in the town that they lived in and they had defaulted on a private debt in that same town, probably the credit bureau would have reported it to the other independent businesses and that person knows he could not get such a loan.

I think it is high time these debtors get the message that their loans from Uncle Sam are not gifts. In the private sector, as I said, when you are in default on a loan, you know you are going to get a letter or a phone call right away.

If you get a little farther behind, a collection agency is going to be contacting you. If that does not do it, you may very well have a subpoena in your mail box. These Government debtors have got to know that if they do not pay the Government on time for their loans, they will face the same consequences as they do if they do not pay their mortgage. If there is one message that comes out loud and clear after my 2 years of investigation into the management of Government loan programs, it is that this simply is not the case in Government.

There are two reasons for this sorry state of affairs. First, until recently, the emphasis in the Federal bureaucracy has been to get these loans out the door as quickly as possible, with little regard for collecting it once it becomes due. But also, the Federal Government has lacked the most basic collection tools available to the smallest bank or retailer in this country—this

in spite of the fact that Uncle Sam is the world's biggest lender.

This administration has made tremendous strides in putting a new emphasis on debt collection in Federal loan programs. In some programs, collections have increased dramatically as a result of this effort. However, administrative changes are not enough. Legislation is needed.

When the administration first became interested in the subject, which, I understand, was a result of the hearings we had held, and the legislation we had put in, we encouraged the administration to move ahead using every bit of authority that it had in the executive branch of Government.

They have affirmed that although they have issued every order and directive they could, they still need legislation to back them up, to support them and give additional powers that they do not now have.

The substitute to H.R. 4613 I am proposing will bring about 10 reforms which will put some teeth into Federal collection efforts.

Allow referral of delinquent debtor information to credit bureaus while providing those debtors the same protections now afforded in the private sector.

It will require individuals to supply their social security number when applying for Government loans.

Can you imagine a bank loaning money to someone and not asking for their social security number? The Federal Government is not allowed to ask for your social security number. This will be changed by this legislation.

It will permit Federal employee salaries to be offset where they have defaulted on a Government debt, while providing strict due process standards.

It will give agencies the authority to screen credit applicants for delinquent taxes before extending Government loans.

It will allow mailing addresses obtained from the Internal Revenue Service on delinquent debtors to be provided to private contractors for debt collection purposes.

It will clarify that administrative setoff of delinquent debts owed the Government exists beyond the 6-year statute of limitations.

It will assess interest on debts owed the Government and penalties on delinquent debts.

It will permit Federal agencies, except the Internal Revenue Service, to contract with private collection agencies for collection services.

It will make it a Federal penalty to assault Federal employees collecting Government debts.

Finally, it will require agencies to report to Congress on delinquencies and debt collection activities.

Mr. President, these measures will give the Government the tools it needs

to collect these debts, while safeguarding the legitimate rights of privacy and due process of debtors. President Reagan's budget has projected that improved debt collection in the Federal Government, facilitated in large part by this bill, will save taxpayers \$20 billion over the next 5 years. This is \$20 billion that can be used to reduce our deficit without cutting deeper into social programs or forcing a tax increase.

In bringing this bill to the Senate floor, great care has been taken to work closely with the House committees that have jurisdiction over S. 1249. Several changes have been incorporated in the substitute bill I am presenting, to reflect the concerns and suggestions of the House Ways and Means, Judiciary, and Government Operations Committees. I am very grateful to the many House Members who have worked with us on this bill. If this bill is passed by the Senate, I am confident that we can reach agreement in conference on the bill this week and bring it back for final passage before the October recess. Every day we lose before passage by both Houses costs the taxpayers of this country a great deal of money.

Mr. DOLE. Will the Senator yield?

Mr. PERCY. I will be happy to yield to my distinguished colleague who so ably handled this bill in the Finance Committee as its chairman.

Mr. DOLE. Mr. President, I will just take a minute or two, but I want first to thank the distinguished Senator from Illinois for his initiative in this measure and his persistence because I think it is, as I have heard him indicate in just the past few minutes, very important legislation.

It has been a matter that we have had concurrent jurisdiction over in the Senate Finance Committee.

Studies conducted by the General Accounting Office and by the Debt Collection Project of the Office of Management and Budget revealed, that as of September 30, 1979, the Federal Government was owed a total of approximately \$175 billion, consisting of \$165 billion of debt reported to the Treasury plus \$10 billion of other debt. Of the total \$175 billion that was owed the Federal Government, approximately \$46.9 billion was due for repayment. It was estimated that over half the amount that was due for repayment, \$25.3 billion was delinquent. In addition, it cost the Federal Government approximately \$3 billion annually in interest to carry these delinquent debts.

The problems which have contributed to this enormous amount of overdue debt are extensive and exist throughout the entire credit cycle—from the initial screening of debtors to ultimate collection. One of the overriding problems is that the informa-

tion systems that we have today cannot provide accurate and timely information on the amount of debt owed, the amount due, and the condition of the debt in terms of delinquencies and defaults. These problems are addressed in S. 1249.

The tax-related provisions of S. 1249, as amended, are: First, use of social security numbers; second, disclosure of information by the Internal Revenue Service for purposes of screening potential debtors; and third, disclosure of debtor identity information.

USE OF SOCIAL SECURITY NUMBERS

Currently, most Federal agencies are prohibited from requiring social security numbers on credit applications. As a result, most agencies are severely hampered in their efforts to verify the identity of applicants, review their credit background for the amount of debt exposure, and their general payment record. In addition, the absence of applicants' social security numbers severely hampers agency efforts to trace and locate delinquent debtors.

Under S. 1249, as amended, Federal departments and agencies would require each individual who applies for credit, financial assistance, or any payment that may result in an indebtedness to the United States or any Federal agency to furnish his social security number. Any social security number obtained in this manner could be used only for purposes of verifying an applicant's identity in connection with credit management and debt collection purposes undertaken pursuant to the Federal Claims Act of 1966 or other statutory authority.

DISCLOSURE OF INFORMATION BY THE INTERNAL REVENUE SERVICE FOR PURPOSES OF SCREENING INDIVIDUAL DEBTORS

Currently, the Internal Revenue Service is prohibited from disclosing returns and return information to Federal agencies for purposes of screening a potential loan applicant for outstanding tax liabilities.

Under S. 1249, as amended, the IRS would be permitted to disclose to another Federal agency whether a Federal loan applicant has any outstanding tax liability—or other liability under the Internal Revenue Code. This information can be disclosed only upon written request from the Federal agency, and is strictly limited to information for the purposes of, and to the extent necessary, in determining whether a loan applicant has outstanding tax liabilities.

DISCLOSURE OF DEBTOR IDENTITY INFORMATION

Currently, the IRS can release certain taxpayer identity information to other governmental agencies for purposes of assisting them in debt collection. However, the taxpayer identity information cannot be further disclosed.

Under S. 1249, as amended, the head of a Federal agency or his designee could make a written request to the

Secretary to provide IRS mailing addresses of taxpayers who are liable for a Federal claim. However, under this provision, the head of the Federal agency requesting the IRS mailing addresses would be permitted to disclose the IRS addresses to an agent for the purpose of collecting or compromising Federal claims. The information that can be disclosed by the agency to the agent is limited to the mailing address of the taxpayer—for example, street and street number, town or city, and ZIP code. The agent would be subject to many provisions which are intended to safeguard the IRS mailing addresses and strictly limit the use of the IRS mailing addresses.

I believe these provisions of S. 1249, as amended, establish a necessary balance between the Federal Government's need to collect delinquent debts efficiently by disclosing IRS mailing addresses to the agents and the Federal Government's obligation to taxpayers to protect the confidentiality and use of the IRS addresses disclosed to its agents.

I hope all of my colleagues will support me in passing this legislation.

The Senator from Illinois has set forth in his statement a number of reasons this legislation should be passed, but I want to underscore the broad bipartisan support this legislation enjoys in this time of fiscal, maybe not crisis, but problems. We are in a recession. I think one way to ease the burden on many of the agencies and on the Congress itself as we look for ways to reduce the size of Government would be to make certain that people who have been the beneficiaries through loan programs repay their obligations.

This legislation will make it easier on the other taxpayers who have to pay the interest on the national debt, which is well over \$100 billion a year.

Mr. President, again I commend the distinguished Senator from Illinois.

I assume I am listed as a cosponsor of this legislation; is that correct?

Mr. PERCY. Mr. President, I ask unanimous consent to add Senator DOLE as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERCY. I thank my distinguished colleague.

UP AMENDMENT NO. 1299

Mr. PERCY. Mr. President, I call up S. 1249, as amended, as a substitute for H.R. 4613.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois (Mr. PERCY) proposes an unprinted amendment numbered 1299.

The amendment is as follows:

UP AMENDMENT 1299

Strike out all after the enacting clause and insert the following:

That this Act may be cited as the "Debt Collection Act of 1982".

AMENDMENTS TO THE PRIVACY ACT

SEC. 2. (a) Section 552a(b) of title 5, United States Code, is amended—

(1) by striking out "or" at the end of paragraph (10);

(2) by striking out the period at the end of paragraph (11) and inserting in lieu thereof "or"; and

(3) by adding at the end thereof the following new paragraph:

"(12) to a consumer reporting agency in accordance with section 3(d) of the Federal Claims Collection Act of 1966 (31 U.S.C. 952(d))."

(b) Section 552a(m) of such title is amended—

(1) by inserting "1" immediately after "m"; and

(2) by adding at the end thereof the following new paragraph:

"(2) A consumer reporting agency to which a record is disclosed under section 3 (d) of the Federal Claims Collection Act of 1966 (31 U.S.C. 952(d)) shall not be considered a contractor for the purposes of this section."

AMENDMENT TO THE FEDERAL CLAIMS COLLECTION ACT OF 1966

SEC. 3. Section 3 of the Federal Claims Collection Act of 1966 (31 U.S.C. 952) is amended by adding at the end thereof the following new subsection:

"(d) (1) Whenever the head of an agency attempts to collect a claim of the United States under subsection (a) of this section, or under any other statutory authority except the Internal Revenue Code of 1954, the head of the agency may disclose to a consumer reporting agency information from a system of records that an individual is responsible for a claim if—

"(A) the notice for the system of records required by section 552a(e)(4) of title 5, United States Code, indicates that information in the system may be disclosed to a consumer reporting agency;

"(B) the head of the agency has reviewed the claim and determined that such claim is valid and overdue;

"(C) the head of the agency has sent a written notice to the individual informing such individual—

"(i) that the payment of the claim is overdue;

"(ii) that the agency intends to disclose to a consumer reporting agency, within not less than sixty days after sending such notice, that the individual is responsible for such claim;

"(iii) of the specific information intended to be disclosed to the consumer reporting agency; and

"(iv) of the rights of such individual to a full explanation of the claim, to dispute any information in the records of the agency concerning the claim, and to administrative appeal or review with respect to the claim;

"(D) such individual has not—

"(i) repaid or agreed to repay such claim under a repayment plan which is agreeable to the head of the agency and is in a written form signed by such individual; or

"(ii) filed for review of such claim under paragraph (2) of this subsection;

"(E) the agency has established procedures (i) for promptly disclosing, to each consumer reporting agency to which the original disclosure was made, any substantial change in the status or amount of the claim (ii) for promptly verifying or correcting, as appropriate, information concerning

the claim upon the request of any such consumer reporting agency for verification of any or all information so disclosed, and (iii) for obtaining satisfactory assurances from each such consumer reporting agency concerning compliance by such consumer reporting agency with the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) and any other Federal law governing the provision of consumer credit information; and

"(F) the information disclosed to the consumer reporting agency is limited to (i) the name, address, taxpayer identification number, and other information necessary to establish the identity of the individual, (ii) the amount, status, and history of the claim, and (iii) the agency or program under which the claim arose.

"(2) Prior to a disclosure to any consumer reporting agency under paragraph (1) of this subsection and at such other times as may be permitted by law, the head of the agency shall, upon request of any individual alleged by the agency to be responsible for the claim, provide for the review of the obligation of such individual, including an opportunity for reconsideration of the initial decision concerning the claim.

"(3) If an agency does not have a current address for an individual for the purpose of sending the notice required by paragraph (1)(C), the agency shall take reasonable action to locate the individual prior to disclosing any information to a consumer reporting agency under paragraph (1).

"(4) For purposes of this subsection—

"(A) the term 'consumer reporting agency' means—

"(i) a consumer reporting agency within the meaning of section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)); or

"(ii) any person who, for monetary fees, dues, or on a cooperative basis, regularly engages in whole or in part in the practice of (I) obtaining credit or other information on consumers for the purpose of furnishing such information to consumer reporting agencies (as defined in clause (i) of this subparagraph), or (II) serving as a marketing agent under arrangements enabling third parties to obtain such information from such reporting agencies;

"(B) the term 'system of records' has the meaning given such term under section 552a(a)(5) of title 5, United States Code; and

"(C) the term 'head of an agency' includes a designee of the head of an agency."

USE OF SOCIAL SECURITY NUMBERS

SEC. 4. (a) Executive departments and agencies shall require each individual applying for credit, financial assistance, or payment which may result in an indebtedness to the United States or any agency thereof furnish the social security number of such individual for the purposes described in subsection (b) of this section.

(b) Any social security number obtained under subsection (a) of this section may be used for verification of the identity of the applicant in connection with credit management and debt collection purposes undertaken pursuant to the Federal Claims Collection Act of 1966 (31 U.S.C. 951 et seq.) or other statutory authority.

(c) For purposes of this section—

(1) the term "Executive departments" has the meaning given such term under section 101 of title 5, United States Code; and

(2) the term "Executive agencies" has the meaning given such term under section 105 of such title.

SALARY OFFSET

SEC. 5. (a) Subsection (a) of section 5514 of title 5, United States Code, is amended to read as follows:

"(a)(1) When the head of an agency or his designee determines that an employee, member of the Armed Forces or Reserve of the Armed Forces, is indebted to the United States for debts to which the United States is entitled to be repaid at the time of the termination by the head of an agency or his designee, or is notified of such a debt to the head of another agency or his designee the amount of indebtedness may be collected in monthly installments, or at officially established pay intervals, by deduction from the current pay account of the individual. The deductions may be made from basic pay, special pay, incentive pay, retired pay, retainer pay, or, in the case of an individual not entitled to basic pay, other authorized pay. The amount deducted for any period may not exceed 15 percent of disposable pay, except that a greater percentage may be deducted upon the written consent of the individual involved. If the individual retires or resigns, or if his employment or period of active duty otherwise ends, before collection of the amount of the indebtedness is completed, deduction shall be made from subsequent payments of any nature due the individual from the agency concerned.

"(2) Except as provided in paragraph (3) of this subsection, prior to initiating any proceedings under paragraph (1) of this subsection to collect any indebtedness of an individual, the head of the agency holding the debt or his designee, shall provide the individual with—

"(A) a minimum of 30 days written notice, informing such individual of the nature and amount of the indebtedness determined by such agency to be due, the intention of the agency to initiate proceedings to collect the debt through deductions from pay, and an explanation of the rights of the individual under this subsection;

"(B) an opportunity to inspect and copy Government records relating to the debt;

"(C) an opportunity to enter into a written agreement with the agency, under terms agreeable to the head of the agency or his designee, to establish a schedule for the repayment of the debt; and

"(D) an opportunity for a hearing on the determination of the agency concerning the existence or the amount of the debt, and in the case of an individual whose repayment schedule is established other than by a written agreement pursuant to subparagraph (C), concerning the terms of the repayment schedule.

A hearing, described in subparagraph (D), shall be provided if the individual, on or before the fifteenth day following receipt of the notice described in subparagraph (A), and in accordance with such procedures as the head of the agency may prescribe, files a petition requesting such a hearing. The timely filing of a petition for hearing shall stay the commencement of collection proceedings. A hearing under subparagraph (D) may not be conducted by an individual under the supervision or control of the head of the agency, except that nothing in this sentence shall be construed to prohibit the appointment of an administrative law judge. The hearing official shall issue a final decision at the earliest practicable date, but not later than 60 days after the filing of the petition requesting the hearing.

"(3) The collection of any amount under this section shall be in accordance with the standards promulgated pursuant to the Fed-

eral Claims Collection Act of 1966 (31 U.S.C. 951 et seq.) or in accordance with any other statutory authority for the collection of claims of the United States or any agency thereof;

"(4) For purposes of this subsection—

"(A) 'disposable pay' means that part of pay of any individual remaining after the deduction from those earnings of any amounts required by law to be withheld; and

"(B) 'agency' includes the United States Postal Service and the Postal Rate Commission."

"(b) Section 5514(b) of title 5, United States Code, is amended by inserting "(1)" immediately after "(b)" and by adding at the end thereof the following new paragraph:

"(2) For purposes of section 7117(a) of this title, no regulation prescribed to carry out subsection (a)(2) of this section shall be considered to be a Government-wide rule or regulation."

"(c) The section heading of section 5514 of title 5, United States Code, is amended to read as follows:

"§ 5514. Installment deduction for indebtedness to the United States"

PROTECTION OF FEDERAL DEBT COLLECTORS

SEC. 6. Section 1114 of title 18, United States Code, is amended—

(1) by striking out "or" before "any attorney"; and

(2) by inserting before "shall be punished" a comma and the following: "or any officer or employee of the United States or any agency thereof designated to collect or compromise a Federal claim in accordance with the Federal Claims Collection Act of 1966 (31 U.S.C. 951 et seq.) or other statutory authority."

SCREENING POTENTIAL DEBTORS

SEC. 7. (a) Section 6103 (1) (3) of the Internal Revenue Code of 1954 (relating to disclosure of returns and return information to the Privacy Protection Study Commission) is amended to read as follows:

"(3) Disclosure of certain return information to Federal lending agencies.—

"(A) IN GENERAL.—Upon written request, the Secretary may disclose to officers and employees of a Federal agency whether a Federal loan applicant has an outstanding liability for any tax, penalty, interest, fine, forfeiture, or other imposition under this title.

"(B) RESTRICTION ON DISCLOSURE.—The Secretary shall disclose information under subparagraph (A) only for purposes of, and to the extent necessary in, determining whether an applicant for a Federal loan has outstanding liabilities. Information regarding outstanding liabilities which are in dispute shall not be disclosed under subparagraph (A).

"(C) FEDERAL LOAN.—For purposes of this paragraph, the term 'Federal loan' means a loan of money by, or guaranteed or insured by, the Federal Government or a Federal agency."

(b) Section 6103 (p) of such Code (relating to procedure and recordkeeping) is amended—

(1) by striking out "or (1) (3) or (6)" in paragraph (3) (C) (1) and inserting in lieu thereof "or (1) (6)";

(2) by striking out "(1) (3), (6), or (7)" in paragraph (4) and inserting in lieu thereof "(1) (6) or (7)"; and

(3) by striking out "(1), (1), (2), or (5), or (c) (1), the commission described in (1)(3)"

in paragraph (4)(F)(ii) and inserting in lieu thereof "(1) (1), (2), (3), or (5), or (c) (1)."

DISCLOSURE TO AGENTS OF A FEDERAL AGENCY

Sec. 8. (a) Paragraph (2) of section 6103 (m) of the Internal Revenue Code of 1954 (relating to disclosure of taxpayer identify information) is amended to read as follows:

"(2) Federal claims.—

"(A) In general.—Except as provided in subparagraph (B), the Secretary may, upon written request, disclose the mailing address of a taxpayer for use by officers, employees, or agents of a Federal agency for purposes of locating such taxpayer to collect or compromise a Federal claim against the taxpayer in accordance with section 3 of the Federal Claims Collection Act of 1966 (31 U.S.C. 952).

"(B) Special rule for consumer reporting agency.—In the case of an agent of a Federal agency which is a consumer reporting agency (within the meaning of section 603 (f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f))), the mailing address of a taxpayer may be disclosed to such agent under subparagraph (A) only for the purpose of allowing such agent to prepare a commercial credit report on the taxpayer for use by such Federal agency in accordance with section 3 of the Federal Claims Collection Act of 1966 (31 U.S.C. 952)."

(b)(1) Section 6103 (p) of such Code (relating to procedure and recordkeeping) (as amended by section 7(b) of this Act) is further amended by adding at the end thereof the following new paragraph:

"(9) Safeguards of certain mailing addresses.—Any Federal agency shall, as a condition for receiving mailing addresses under subsection (m)(2)—

"(A) establish and maintain, to the satisfaction of the Director of the Office of Management and Budget, a permanent system of standardized records with respect to disclosures of such mailing addresses to the agents of such agency;

"(B) ensure, to the satisfaction of the Director of the Office of Management and Budget, that the mailing addresses are not incorporated in the general records of agents of such agency or otherwise used by such agents for a purpose other than as provided by subsection (m)(2);

"(C) provide such other safeguards which the Director of the Office of Management and Budget determines to be necessary or appropriate to protect the confidentiality of mailing addresses disclosed to the agents of such agency;

"(D) furnish a report to the Director of the Office of Management and Budget after the close of each calendar year which describes the procedures established and utilized by such agency for ensuring the confidentiality of mailing addresses disclosed to the agents of such agency; and

"(E) upon completion of use of the mailing addresses, provide for the return of the mailing addresses (along with any copies thereof) to the Secretary or provide a method for making the mailing addresses incapable of being disclosed in any manner."

(2) Paragraph (5) of section 6103 (p) of such Code is amended by striking out "this subsection" and inserting in lieu thereof "paragraphs (3) and (4) of this subsection".

(c) (1) Section 7213 (a) (2) of such Code (relating to unauthorized disclosure of information) is amended by striking out "(or (m) (4))" and inserting in lieu thereof "(or (m) (2) or (4))."

(2) Paragraph (3) of section 6103 (a) of such Code (relating to confidentiality and

disclosure of returns and return information) is amended by striking out "(m) (4) (B)" and inserting in lieu thereof "(m) (2) or (m) (4) (B)".

STATUTE OF LIMITATIONS WITH RESPECT TO ADMINISTRATIVE OFFSETS

Sec. 9. Section 2415 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

"(i) The provisions of this section shall not prevent the United States or an officer or agency thereof from collecting any claim of the United States by means of administrative offset, in accordance with section 5 of the Federal Claims Collection Act of 1966."

ADMINISTRATIVE OFFSETS

Sec. 10. The Federal Claims Collection Act of 1966 (31 U.S.C. 951 et seq.) is amended—

(1) by redesignating section 5 as section 6; and

(2) by adding the following new section 5:

"Sec. 5. (a) The head of an agency or his designee may, after attempting to collect a claim from a person under section 3 (a) of this Act, collect the claim by means of administrative offset, except that no claim under this Act that has been outstanding for more than ten years may be collected by means of administrative offset.

"(b) The head of an agency or his designee may not collect any claim by administrative offset authorized by subsection (a) unless the agency head has prescribed regulations for the exercise of such administrative offset, based on the best interests of the United States, the likelihood of collecting a claim by administrative offset, and, with respect to the collection of claims by means of administrative offset after the six-year period provided in section 2415 of title 28, United States Code, has expired for bringing an action on such a claim, the cost effectiveness of leaving such claim unresolved for more than six years.

"(c) Prior to collecting any claim through administrative offset, the head of the agency or his designee shall provide the debtor with—

"(1) written notification of the nature and amount of the claim, the intention of the agency to collect the claim through administrative offset, and an explanation of the rights of the debtor under this section;

"(2) an opportunity to inspect and copy the records of the agency with respect to the claim;

"(3) an opportunity for the review, within the agency, of the determination of the agency with respect to the claim; and

"(4) an opportunity to enter into a written agreement with the head of the agency or his designee, for the repayment of the amount of the claim.

"(d) The provisions of this section shall not apply in any case in which a statute either explicitly provides for or prohibits the collection through administrative offset of the claim or type of claim involved.

"(e) For purposes of this section—

"(1) the term 'administrative offset' means the withholding of money payable by the United States to or held by the United States on behalf of a person to satisfy a debt owed the United States by that person; and

"(2) the term 'person' does not include any agency of the United States, or of any State or local government."

INTEREST AND PENALTY ON INDEBTEDNESS TO THE UNITED STATES

Sec. 11. Section 3 of the Federal Claims Collection Act of 1966 (31 U.S.C. 952) (as

amended by section 3 of this Act) is further amended by adding at the end thereof the following new subsection:

"(e) (1) Except as provided in paragraph (3), the head of an agency or his designee shall charge a minimum annual rate of interest on outstanding debts on claims owed by persons that is equal to the average investment rate for the Treasury tax and loan accounts for the twelve-month period ending on September 30 of each year, rounded to the nearest whole per centum. The Secretary of the Treasury or his designee shall publish such rate each year not later than October 31 and such rate shall become effective on the first day of the next calendar quarter. The Secretary of the Treasury may revise such rate quarterly if the average investment rate for the twelve-month period ending at the close of that calendar quarter, rounded to the nearest whole per centum, is greater or less than the existing published rate by 2 per centum. For purposes of this paragraph, 'calendar quarter' means any three-month period beginning on January 1, April 1, July 1, or October 1.

"(2) Except as provided in paragraph (3), the head of an agency or his designee shall, with respect to claims owed by persons—

"(A) assess charges to cover the costs of processing and handling delinquent claims, and

"(B) assess a penalty charge, not to exceed 6 per centum per annum, for failure to pay any portion of a debt more than ninety days past due.

"(3) Interest and charges under paragraphs (1) and (2) shall not apply if an applicable statute, a regulation required by statute, a loan agreement, or a contract either prohibit the charging of interest or charges, or explicitly fix interest or charges that apply to claims involved. The head of an agency or his designee may promulgate regulations identifying circumstances appropriate to waive collection of interest and charges in conformity with such standards as may be promulgated jointly by the Attorney General and the Comptroller General. Waivers in accordance with such regulations shall constitute compliance with the requirements of paragraphs (1) and (2).

"(4) This subsection shall not apply to any claim under a contract which is executed before the effective date of this subsection and which is in effect on that date.

"(5) Subject to paragraph (6), interest under paragraph (1) shall accrue—

"(A) except as provided in subparagraph (B), from the date on which notification of the amount due on the claim is first mailed to the debtor (using the most current address of such debtor that is available to the head of the agency or his designee); or

"(B) if such notification was first mailed before the date of the enactment of the Debt Collection Act of 1982, from the date on which such notification is first mailed after such date of enactment.

The rate of interest to be charged on a claim under paragraph (1) shall be the rate in effect on the date from which interest accrues on the claim under subparagraph (A) or (B), and shall remain fixed at that rate for the duration of the indebtedness.

"(6) Interest under paragraph (1) shall not be charged if the amount due on the claim is paid within thirty days after the date from which interest accrues under paragraph (5). The head of an agency may extend such thirty-day period.

"(7) Interest under this subsection shall not accrue on any charges assessed pursuant to paragraph (2) of this subsection.

"(8) For purposes of this subsection, the term 'person' does not include any agency of the United States or any State or local government."

REPORT ON AGENCY DEBT COLLECTION ACTIVITIES

SEC. 12. (a) The Director of the Office of Management and Budget, in consultation with the Secretary of the Treasury and Comptroller General of the United States, shall establish regulations requiring each agency with outstanding debts to prepare and transmit to the Director and the Secretary of the Treasury at least once each year a report which summarizes the status of loans and accounts receivable managed by each agency. The report shall contain information regarding—

(1) the total amount of loans and accounts receivable owed to the agency and when the funds owed to the agency are due to be repaid;

(2) the total amount of receivables and number of claims that are at least thirty days past due;

(3) the total amount written off as uncollectable, actual, and allowed for;

(4) the rate of interest charged for overdue debts and the amount of interest charged and collected on debts;

(5) the total number of claims and total amount collected;

(6) the number of claims and the total amount of claims referred to the Department of Justice for settlement and the number of claims and the total amount of claims settled by such Department;

(7) for each program or activity administered by the agency, the information described in clauses (1) through (6) of this subsection; and

(8) such other information as the Director finds necessary in order to determine whether the agency is engaging in aggressive action to collect the claims of the agency.

(b) The Director shall analyze the reports received by each agency under subsection (a) and shall report annually to the Congress on the management of agency debt collection activities, including the information provided to the Director under subsection (a) above.

CONTRACTS FOR COLLECTION SERVICES

SEC. 13. (a) Section 3617 of the Revised Statutes (31 U.S.C. 484) is amended by striking out "section 487" and inserting in lieu thereof "sections 487 and 952 (g) (2)".

(b) Section 3 of the Federal Claims Collection Act of 1966 (31 U.S.C. 952) (as amended by sections 3 and 11 of this Act) is further amended by adding at the end thereof the following new subsections:

"(f)(1) Notwithstanding the provisions of any other law governing the collection of claims owed the United States, except for collections of unpaid or underpaid debts under the Internal Revenue Code of 1954, the head of an agency or his designee may enter into a contract with any person or organization, under such terms and conditions as the head of the agency or his designee considers appropriate, for collection services to recover indebtedness owed to the United States. Any such contract shall include provisions specifying that the head of the agency or his designee retains the authority to resolve disputes, compromise claims, terminate collection action, and refer the matter to the Attorney General to initiate

legal action, and that the contractor shall be subject to section 552a of title 5, United States Code, to the extent provided in subsection (m) of that section, and shall be subject to Federal and State laws and regulations pertaining to debt collection practices, including the Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).

"(2) Notwithstanding section 3617 of the Revised Statutes (31 U.S.C. 484), the head of an agency or his designee may provide, as part of a contract described in paragraph (1), that appropriate fees charged by a contractor to recover indebtedness owed to the United States may be payable from the amount collected by such contractor.

"(3) Any such contract shall be effective only to such extent and in such amounts as are provided in advance appropriation Acts.

"(g) For purposes of this Act, the term 'claim' includes amounts owing on account of loans insured or guaranteed by the United States and all other amounts due the United States from fees, duties, leases, rents, royalties, services, sales of real or personal property, overpayments, fines, penalties, damages, interest, taxes, forfeitures, and other sources."

Mr. PERCY. Mr. President, I ask unanimous consent also that four articles on this bill be inserted in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 7, 1981]

MANY DOCTORS FAILING TO PAY STUDENT LOANS

WASHINGTON, December 6.—Many doctors are failing to pay back the Government loans that helped them through school, according to Federal investigations.

A report by the staff of the Senate Governmental Affairs Committee cited a graduate of the University of Maryland medical school. He had not missed a payment on his \$24,600 car loan, but his student loan was listed as "uncollectable" for four years, putting him in arrears for \$2,529.

Aides to Senator Charles H. Perry, Republican of Illinois, a committee member, said about 50,000 health professionals, including 5,716 doctors, were seriously delinquent in paying their student loans, depleting by more than \$23 million the Government's money pool for providing long-term medical school loans.

NURSES HAVE WORST RECORD

The overall delinquency rate was about one-third of the 167,000 former medical and health care students benefitting from the program.

Computer searches by the Department of Health and Human Services found that nurses had the worst repayment record with 37,760 of about 88,000 with loans being in arrears by \$14.2 million; 5,716 of the 36,179 doctors with loans in default for \$4.4 million; with dentists, optometrists, pharmacists and podiatrists having similar default rates.

"Almost every aspect of the collection end of this program flies in the face of good business sense," said Senator Percy, who will lead full committee hearings Tuesday into the Health Professions Student Loan Program.

"If I were a student attempting to secure one of these loans in today's budget-cutting environment," Senator Percy added, "I would be pretty upset to be rejected knowing that practicing physicians, many of

whom are earning high incomes, have failed to repay the Federal loans which made their careers possible."

LOANS TOTAL \$20,000 OR MORE

The 10-year medical loans can total \$20,000 or more and are provided at interest rates ranging from 3 to 7 percent.

Senator Percy said a General Accounting Office study found that schools have been ineffective in collecting the loans, and at 16 medical schools from 20 to 60 percent of the loans were more than 90 days overdue.

In recent years, the Department of Health and Human Services has found major problems in the collection of general Government guaranteed student loans, but the latest studies are the first to indicate serious deficiencies in the medical program.

Senator Percy is sponsoring legislation to create new methods for collecting debts under Federal loan programs, including a provision for reporting delinquent borrowers to commercial credit bureaus.

This is the last year that Congress is scheduled to put money into the \$70 million medical loan fund, leaving it as a revolving pool in the future.

At Maryland, 391 practicing physicians who graduated from the school were delinquent on their loans, owing a total of \$189,000, although 83 percent of them have perfect credit ratings in the private sector, committee aides said. They said similar problems had arisen at some of the nation's other leading medical schools.

[From the Chicago Tribune, Jan. 31, 1982]

HUD LOAN LOSSES SET IN MILLIONS

(By James Coates)

WASHINGTON.—Homeowners in Chicago and its suburbs have defaulted on millions of dollars in FHA home improvement loans; a study ordered by Sen. Charles Percy (R., Ill.) has disclosed.

The borrowers used the loans to add porches or recreation rooms, remodel kitchens or make other renovations, then sold their homes and moved away, Percy was informed.

The study, prepared by the Congressional General Accounting Office (GAO) and obtained by The Tribune, highlights the chaos in the Department of Housing and Urban Development (HUD) Title I home improvement loans. For example:

Thousands of loans are being declared uncollectable because the borrowers "skipped" town while still listed in the phone book or at the local credit bureau.

Often defaulters have escaped collection efforts simply because banks that issue the government-insured loans take an average of nine months to report the delinquencies. In many cases, GAO found, the only effort made to collect a loan was to ask the Post Office if a borrower had moved. The Post Office keeps forwarding addresses for only 12 months.

GAO investigators found that HUD debt collectors in Chicago had never received instructions on how to collect loans. A "collection handbook" had been published by HUD in 1963 but has been out of print for a decade.

The loan program has major incentives that encourage default. The original loans are made at prevailing rates—often as high as 19 percent. But once a borrower is registered as a defaulter, he is allowed to repay the loan at only 6 percent interest.

After banks report to HUD that there is a default on a government-insured loan, it

takes an average of eight months before the first form letter proposing a repayment plan is sent to the borrower. In some cases, GAO found, it took as long as three years before the first letter was sent by HUD Workers.

A GAO audit of HUD offices in Chicago and New York City found that 14 percent of those who had defaulted on home improvement loans had stopped paying on more than one such loan.

"Every facet of this collection effort at HUD flies in the face of good business sense," Percy said.

"It's high time that these government debtors got the message that this is a loan, not a gift."

The improvement loans, recorded at HUD headquarters here along with all FHA-guaranteed mortgages, resulted in \$18 million in defaults nationwide during 1980 alone, GAO found. There are \$130 million worth of defaulted loans awaiting collection and GAO predicted that \$106 million will be lost forever.

Despite the backlog, HUD officials have been lax in turning defaulters over for collection, GAO found. In Chicago, of 6,900 defaulted loans on hand, only 25 have been given to the Justice Department for collection, GAO reported.

Most of the loans in question average between \$1,000 and \$7,500, which means that more than \$7 million in loans are in default in Chicago, GAO indicated.

The loans are issued by banks throughout the U.S. The federal government insures 90 percent of the balance, including interest due, and reimburses banks when officially notified that a loan is in default.

The GAO study found disarray throughout the Chicago and New York programs.

More than \$30 billion has been lent under the Title I program since it was begun in 1934. In 1969 the loans were extended to finance mobile homes as well as home improvements.

Current law allows the government to insure loans up to \$30,000 for mobile homes and up to \$15,000 for home improvements. About 80 percent of the loans are issued for less than \$7,500.

There are 57 HUD loan officers, each assigned to monitor roughly 1,000 defaulted loans. The New York and Chicago offices account for 25 percent of all defaulted loans.

GAO analyzed the program by studying 70 of the 6,967 defaulted loans in Chicago and 99 of the 7,000 in New York.

Several cases of glaring fraud were discovered, including a Chicago case in which an individual had gone from bank to bank and obtained 10 HUD loans valued at more than \$50,000.

But most of the money is lost because borrowers find it easy to stop making loan payments.

GAO investigators complained that many of those owing on loans are listed by HUD workers as a "skip" when they are easy to find. The report prepared for Percy tells how GAO investigators found "skippers" simply by asking the telephone information service for their numbers.

Furthermore, noted GAO, as many as 77 percent of the defaulters could have been traced through Social Security numbers left at banks when they applied for loans.

The Internal Revenue Service could provide current addresses for these persons but HUD rarely asked for IRS help.

[From the Chicago Sun Times, Feb. 2, 1981]

CRACKDOWN ON FEDERAL DEADBEATS

The U.S. attorney in Cincinnati has filed 501 lawsuits to recover more than \$660,000 from student loan deadbeats in southern Ohio.

We hope other prosecutors follow his lead, though we're not sure how much good it will do. The government has staged periodic "crackdowns" in the past, yet it's still stuck with an estimated \$2 billion of delinquent student loans.

Another \$18 billion of loans are overdue to other federal agencies. If the government collected them, it would be on the way toward a balanced budget.

People don't repay the government because they know it won't affect their credit ratings. You can waltz on Uncle Sam and still get a bank loan or credit card.

That's why Congress should pass a bill by Sen. Charles H. Percy (R-Ill.) to allow government agencies to report their delinquent borrowers to private credit bureaus.

The Education Department is one of two federal agencies that already has that right. But it doesn't exercise it, partly because it gets current addresses of many of its deadbeats from the Internal Revenue Service.

The use of IRS data, even addresses, is sharply restricted by federal law. Percy's bill would ease the restriction slightly.

Opponents call this an invasion of privacy. In our view, a person waives some of his right of privacy when he waltzes on a debt.

[From U.S. News & World Report, Aug. 2, 1982]

CHASING DEADBEATS ON FEDERAL PAYROLL

Thousands of federal employees are defaulting on government loans and thumbing their noses at Uncle Sam's debt collectors.

The situation, disclosed in hearings on July 21, was described by Senator Charles Percy (R-Ill.) as "one of the most appalling examples of waste and mismanagement in federal programs."

Across the U.S., individuals are in default on 33.8 billion dollars in federal loans. Of that sum, tens of millions are owed by 36,000 federal employees. That's only a minimum estimate, as the government in 1980 destroyed some of its detailed records of employee defaults to comply with privacy rules—a decision that officials now say was a mistake.

Current law makes it almost impossible to collect overdue debts through deductions from federal paychecks, even when courts order repayment.

Investigators uncovered numerous cases of debt dodging by bureaucrats—

A lawyer making \$34,000 a year with the Department of Education has not repaid \$4,000 in loans that helped him through law school. Even so, he has gotten two promotions. Since he has filed for bankruptcy, the loans probably never will be repaid.

Another Education Department employee defaulted on a \$4,000 graduate-school loan, refused to pay even after losing a lawsuit, then took an \$18,000 commercial loan to buy a new Porsche.

An employee of the General Services Administration, already getting retirement pay from the Air Force, refused to give back a \$1,131 overpayment in veterans' education benefits. A court ordered the debt deducted from his pension, but the Air Force refused, citing federal law.

An Internal Revenue Service employee owes \$5,299 in taxes, but an effort to fire him was overturned by the Merit Systems Protection Board. It termed the debt a "personal matter."

Government employees are not the only ones enjoying federal largess while defaulting on taxpayer-provided loans. A doctor who owes \$1,428 in medical-school loans has since received \$453,000 in federal payments for treating medicare patients.

Legislation proposed by Senator Percy would let the government report debtors to commercial credit bureaus and expand access to IRS files for addresses for delinquents. Another change would allow garnisheeing part of federal workers' pay without going to court.

The PRESIDING OFFICER. Under the previous order, the language of S. 1249, as reported, is before the Senate as an amendment to the House legislation.

The question then is on the amendment.

The amendment (UP No. 1299) was agreed to.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, Passage of this measure will represent the culmination of 3 years of work on this issue by the distinguished Senator from Tennessee (Mr. SASSER) for it was on September 5, 1979, that he first began proposing legislation aimed at improving the debt collection practices of the Federal Government. The Senator believed then and he believes now that the need for improved debt collection practice by the Federal agencies is a proposition that stands on its own merits.

In the intervening years, however, the need for improved debt collection by our Government has been highlighted by a burgeoning national debt, increasing Federal budget deficits, and the punishing cost to our Nation of high interest rates. Data indicating that \$175 billion is owed the Federal Government ought to be reason enough for prompt passage of S. 1249.

Of course, it seems that it has become commonplace for the past several years to talk of hundreds of billions of dollars when it comes to national debt, deficits, and deferrals, but consider this illustration: \$175 billion is all the money it took to run the entire U.S. Government from its inception in the 18th century up to the beginning of our involvement in World War II in 1941.

Mr. President, the distinguished Senator from Tennessee (Mr. SASSER) wishes to express his strong support of S. 1249, the Debt Collection Act of 1981.

(By request of Mr. INOUE, the following statement was ordered to be printed in the RECORD:)

● Mr. SASSER. Mr. President, I want to express my strong support for S. 1249, the Debt Collection Act of 1981. Passage of this bill today will represent the culmination of 3 years of work on this issue for me; it was on September 5, 1979, that I first began proposing legislation aimed at improv-

ing the debt collection and credit management practices of the Federal Government. I believed then and I believe now that the need for improved debt collection practices by Federal agencies is a proposition that stands on its own merits.

In the intervening years, however, the need for improved debt collection by our Government has been highlighted by a burgeoning national debt, increasing Federal budget deficits and the punishing cost to our Nation of high-interest rates.

Data indicating that \$175 billion is owed the Federal Government ought to be reason enough for prompt passage of S. 1249. Of course, it seems that it has become commonplace in the past several years to talk of hundreds of billions of dollars when it comes to talk of debts, deficits, and deferrals. But consider this illustration: \$175 billion is all the money it took to run the entire U.S. Government from its inception in the 18th century up to the beginning of our involvement in World War II in 1941.

One could go on and on with such mind-boggling illustrations. The data are real, however: all the billions of dollars in debts that have been written off by the Federal Government; all the billions of dollars owed the Government which are delinquent; and all the billions of dollars it costs our Government simply to carry the outstanding debts in hopes of repayment.

Certainly, there is sufficient evidence on the issue to warrant the grave concern of each and every Member of this body.

The Debt Collection Act will provide Federal agencies which incur these debts with the tools for a remedy. Key to the act is the go-ahead to cooperate and contract with the private sector through the use of credit reporting and debt collection services; this will allow the Federal Government greater flexibility in its credit management techniques, but without the huge cost usually associated with the startup of a new Federal program.

Only time will tell how efficient and effective S. 1249 will prove. It may be that additional initiatives in the field of credit management will be necessary. Indeed, there are several other proposals which I introduced in both the 96th and 97th Congresses which, I believe, would help the U.S. Government to realize even greater savings.

Today, however, the Senate should pass the Debt Collection Act.

I should point out, in urging my colleagues to support its passage, that S. 1249 represents a third major initiative in the area of better Government management of financial practices.

Late last year, the Congress passed the State and Local Government Cost Estimate Act of 1981, which I first introduced in the Senate during the 97th Congress on January 5, 1981.

This law requires the Congressional Budget Office to prepare estimates of the cost, or "fiscal notes," to State and local governments of proposed congressional legislation. This will prevent the Congress from passing legislation that would impose unnecessary and unforeseen costs to State and local government.

Earlier this year, we approved the Prompt Payments Act, the final product of late payments legislation which I also introduced on January 5, 1981. That bill, which becomes effective next week, requires the Federal Government to pay its own bills on time, or face the prospect of interest penalties. This will provide additional stimulus for Federal agencies to improve its cash and credit management practices, and it complements the Debt Collection Act, which I joined in sponsoring upon its introduction in February 1981.

All of these initiatives have one principle in common and that is that they will encourage the Federal Government to adopt and implement sound management practices. At a time when economic conditions are forcing nearly every sector of American society to make sacrifices, we in the Congress must take every step practical to make sure our Government uses wisely the tax dollars of its citizens. I urge my colleagues to support the passage of S. 1249, the Debt Collection Act of 1981.

Mr. NICKLES. Mr. President, the legislation authored by the senior Senator from Illinois, S. 1249 and its House companion, H.R. 4613, is the culmination of much time and effort on his part and is to be commended.

In March of this year an article appeared in the Daily Oklahoman outlining several cases of individuals who, at one time, borrowed money from the U.S. Government and were being pursued by the U.S. attorney's office in Oklahoma City. One case cited was that of a doctor with a very successful practice who owed \$4,000 on a student loan while he was an intern. In this case, the individual had every means to pay this debt, but due to the inability of the Government to collect, was able to elude payment.

Under the bill, steps will be taken to enable the Government to collect delinquent accounts which totaled more than \$25 billion in fiscal year 1979.

Few businesses would carry on loan practices similar to the antiquated practices of the Federal Government. Under this measure, agencies would be able to pursue delinquent debts with resources commonly available to those in the private sector, including disclosures of delinquency to consumer reporting agencies and garnishment of debtors wages.

If we are to expect the Federal bureaucracy to operate more effectively,

it is only reasonable that we give them the tools to carry out this objective.

The Debt Collection Act of 1981 is necessary and I urge its adoption and proper implementation by the administration.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, the vote on final passage will occur at 2 p.m. tomorrow.

Mr. INOUE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE SCHEDULE

Mr. BAKER. Mr. President, so far today we have successfully completed action on another appropriation bill, the military construction appropriations bill, H.R. 6968, and the debt collection bill, which is an important piece of legislation that has been here and available for some time, and I am proud to say that the Senate has completed action on that as well. A vote is ordered on that measure tomorrow beginning at 2 p.m.

Yet this afternoon we have cleared action on the Coast Guard authorization bill and on the Sally Mae conference report.

That is a pretty good set of accomplishments for a day. It is only 2 p.m. in the afternoon. That is the good news.

The bad news is that I have tried hard, since this is 1 of the 5 days we have remaining before we go out, or at least I hope we go out on Friday, October 1—it is only 2 p.m. in the afternoon—and we have not been able to clear anything else. That is the bad news.

I suppose I should know by now that the Senate has a mind of its own and when it decides it does not want to transact any more business, there is precious little that the leadership on either side of the aisle can do about it.

It may be as well that I should have learned by now that when we say there will not be any votes on a particular day that also means there will not be any more business on that day, which is indeed the case.

We will not have votes today because of the religious observance involving some of our Members and the tradi-

tion of the Senate has been that during the Yom Kippur season no votes will occur on that day.

Mr. President, we have tried to clear the crime bill, S. 2572; the shipping bill, S. 1593; the military pay bill, S. 2936; the highway bill, S. 2574; and the railroad bill, H.R. 3608, and we cannot.

I am sure for good reasons Members have holds, and holds are not all on one side or the other. They are on both sides.

But you see the dilemma that poses for me because while I cannot get unanimous consent to proceed to any other measure today, I also cannot make a motion to proceed to those with any good effect because I have promised there would be no votes until tomorrow.

So I find myself in the unhappy position of being powerless. I do not have much power anyway. But in this case I am without any.

I see a look of delight on the face of some Senators, including the distinguished chairman of the Republican Policy Committee, the Senator from Texas, and I shall remember that.

But, Mr. President, the long and short of it is that we have the Coast Guard bill to do and the Sally Mae conference report, and neither of them are going to take very long. Unless some Senator can produce for me some other piece of legislation that we can deal with today, I will, with great reluctance, ask the Senate to stand in recess over until tomorrow.

Mr. President, having said all of that and not being sure what the effect will be, there may be a mass exodus from the Chamber and offices on the Hill, or there may be Members coming to the Chamber to take advantage of the time remaining before we go out. But being unsure of that I have said my piece and I will yield the floor.

Before I do that, Mr. President, I see the Senator from New Mexico in the Chamber and I inquire of him if he is prepared now to proceed with the Coast Guard authorization bill.

Mr. DOMENICI. Mr. President, I have a statement I wish to make. It will not take over 4 minutes. Then I have no objection to the passage of the report.

Mr. BAKER. I thank the Senator.

I inquire of the acting minority leader if he is prepared now to proceed to that item.

Mr. HARRY F. BYRD, JR. Mr. President, this side is prepared.

Mr. BAKER. I thank the Senator.

COAST GUARD AUTHORIZATION ACT OF 1982

Mr. BAKER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 2252.

The PRESIDING OFFICER laid before the Senate the following mes-

sage from the House of Representatives:

Resolved, That the bill from the Senate (S. 2252) entitled "An Act to authorize appropriations for the Coast Guard for fiscal years 1983 and 1984, and for other purposes", do pass with the following amendment:

Strike out all after the enacting clause and insert:

That this Act may be cited as the "Coast Guard Authorization Act of 1982".

SEC. 2. Funds are authorized to be appropriated for necessary expenses of the Coast Guard for fiscal years 1983 and 1984 as follows:

(1) For the operation and maintenance of the Coast Guard, including expenses related to the Capehart housing debt reduction, \$1,842,000,000 for fiscal year 1983 and \$2,026,000,000 for fiscal year 1984, and such additional amounts for each such fiscal year as may be necessary for increases in salary, pay, and other employee benefits authorized by law.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, \$670,000,000 for fiscal year 1983 and \$700,000,000 for fiscal year 1984.

(3) For research, development, test, and evaluation, \$30,000,000 for fiscal year 1983 and \$33,000,000 for fiscal year 1984, of which sufficient funds shall be made available to continue in operation a Coast Guard research and development center through the end of fiscal year 1984.

(4) For the alteration or removal of bridges over navigable waters of the United States, constituting obstructions to navigation, \$12,700,000, for fiscal year 1983.

(5) For retired pay including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and for payments for medical care of retired personnel and their dependents under the Dependents' Medical Care Act, such sums as may be necessary for fiscal years 1983 and 1984.

SEC. 3. For fiscal years 1983 and 1984, the Coast Guard is authorized an end-of-year strength for active duty personnel of forty-one thousand five hundred. This end-of-year strength shall not include members of the Ready Reserve called to active duty under the authority of section 712 of title 14, United States Code.

SEC. 4. For fiscal years 1983 and 1984, the Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training, three thousand six hundred and sixty student-years.

(2) For flight training, one hundred and eighteen student-years.

(3) For professional training in military and civilian institutions, six hundred and fifty-five student-years.

(4) For officer acquisition, one thousand thirty-eight student-years.

SEC. 5. (a) Section 81 of title 14, United States Code, is amended by adding at the end thereof the following: "The Coast Guard may establish, maintain, and operate aids to maritime navigation under paragraph (1) of this section by contract with any person, public body, or instrumentality."

(b) It is the sense of Congress that the establishment, maintenance, and operation of maritime aids to navigation on the inland waterways of the United States can be ac-

complished by civilian employees of the Coast Guard more effectively than by military members of the Coast Guard. Accordingly, Congress recommends that the Coast Guard increase significantly the ratio of civilian to military employees assigned to these tasks.

(c) Not later than one year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit a report to the Congress evaluating—

(1) the exercise by contract of the authority of the Coast Guard under section 81 of title 14, United States Code, to establish, maintain, and operate aids to navigation, including a discussion of any problems involved in exercising such authority by contract, the reasons for exercising or failing to exercise such authority by contract in particular areas, and the feasibility of expanding the exercise of such authority by contract; and

(2) the advantages and disadvantages of increasing the ratio of civilian to military employees assigned to the establishment, maintenance, and operation of aids to navigation on the inland waterways of the United States.

(d) Any authority to enter into contracts provided in this section shall be available only to the extent provided for in advance in an appropriations Act.

SEC. 6. Subsections (e) and (f) of section 475 of title 14, United States Code, are repealed.

SEC. 7. (a) Section 502(b) of the General Bridge Act of 1946 (33 U.S.C. 525(b)) is amended by adding at the end thereof the following: "This subsection shall not apply to any bridge over waters which are not subject to the ebb and flow of the tide and which are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce."

(b) Section 9 of the Act of March 3, 1899, entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes" (33 U.S.C. 401) is amended by adding at the end thereof the following: "The approval required by this section of the location and plans or any modification of plans of any bridge or causeway shall not apply to any bridge or causeway over waters which are not subject to the ebb and flow of the tide and which are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce."

(c) The first section of the Act of March 23, 1906, entitled "An Act to regulate the construction of bridges over navigable waters" (33 U.S.C. 491) is amended by adding at the end thereof the following: "This section shall not apply to any bridge over waters which are not subject to the ebb and flow of the tide and which are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce."

SEC. 8. (a) Section 5 of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", enacted August 18, 1894 (33 U.S.C. 499; 28 Stat. 362), is amended—

(1) by inserting "(a)" after "Sec. 5."

(2) by striking out "or who shall unreasonably delay the opening of said draw after reasonable signal shall have been given," in the second sentence;

(3) by striking out "section" and inserting in lieu thereof "subsection";

(4) by striking out "any violation" and inserting in lieu thereof "any willful violation"; and

(5) by adding at the end thereof the following new subsections:

"(b) No vessel owner or operator shall signal a drawbridge to open for any non-structural vessel appurtenance which is not essential to navigation or which is easily lowered and no person shall unreasonably delay the opening of a draw after the signal required by rules or regulations under this section has been given. The Secretary of Transportation shall issue rules and regulations to implement this subsection.

"(c) Whoever violates any rule or regulation issued under subsection (a) or (b), shall be liable to a civil penalty of not more than \$1,000. No penalty may be assessed under this subsection until the person charged is given notice and an opportunity for a hearing on the charge. The Secretary of Transportation may assess and collect any civil penalty incurred under this subsection and, in his discretion, may remit, mitigate, or compromise any penalty until the matter is referred to the Attorney General. If a person against whom a civil penalty is assessed under this subsection fails to pay that penalty, an action may be commenced in the district court of the United States for any district in which the violation occurs for such penalty."

(b) Section 18 of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", enacted March 3, 1899 (30 Stat. 1153; 33 U.S.C. 502), is amended by inserting "(a)" after "Sec. 18.", by striking out "Secretary of War" wherever it appears and inserting in lieu thereof "Secretary of Transportation", by striking out "recommended by the Chief of Engineers", and by adding at the end thereof the following new subsections:

"(b) No owner or operator of any bridge, drawbridge, or causeway shall endanger, unreasonably obstruct, or make hazardous the free navigation of any navigable water of the United States by reason of the failure to keep the bridge, drawbridge, or causeway and any accessory works in proper repair.

"(c) Whoever violates any provision of this section, or any order issued under this section, shall be liable to a civil penalty of not more than \$1,000. Each day a violation continues shall be deemed a separate offense. No penalty may be assessed under this subsection until the person charged is given notice and an opportunity for a hearing on the charge. The Secretary of Transportation may assess and collect any civil penalty incurred under this subsection and, in his discretion, may remit, mitigate, or compromise any penalty until the matter is referred to the Attorney General. If a person against whom a civil penalty is assessed under this subsection fails to pay that penalty, an action may be commenced in the district court of the United States for any district in which the violation occurs for such penalty."

(c) Section 5 of the Act entitled "An Act to regulate the construction of bridges over navigable waters", enacted March 23, 1906 (33 U.S.C. 495; 34 Stat. 85), is amended—

(1) by inserting "(a)" after "Sec. 5";

(2) by striking out "who shall fail" and inserting in lieu thereof "who shall willfully fail";

(3) by striking out "shall be deemed guilty of a violation of this Act, and any persons

who shall be guilty of a violation of this Act"; and

(4) by adding at the end thereof the following new subsection:

"(b) Whoever violates any provision of this Act, or any order issued under this Act, shall be liable to a civil penalty of not more than \$1,000. Each day a violation continues shall be deemed a separate offense. No penalty may be assessed under this subsection until the person charged is given notice and an opportunity for a hearing on the charge. The Secretary of Transportation may assess and collect any civil penalty incurred under this subsection and, in his discretion, may remit, mitigate, or compromise any penalty until the matter is referred to the Attorney General. If a person against whom a civil penalty is assessed under this subsection fails to pay that penalty, an action may be commenced in the district court of the United States for any district in which the violation occurs for such penalty."

(d) Section 510 of the General Bridge Act of 1946 (60 Stat. 847; 33 U.S.C. 533) is amended—

(1) by inserting "(a)" after "Sec. 510.";

(2) by striking out "who fails" each place it appears and inserting in lieu thereof "who willfully fails", by striking out "who refuses" and inserting in lieu thereof "who willfully refuses", and by striking out "otherwise violates" and inserting in lieu thereof "otherwise willfully violates"; and

(3) by adding at the end thereof the following new subsection:

"(b) Whoever violates any provision of this Act, or any order issued under this Act, shall be liable to a civil penalty of not more than \$1,000. Each day a violation continues shall be deemed a separate offense. No penalty may be assessed under this subsection until the person charged is given notice and an opportunity for a hearing on the charge. The Secretary of Transportation may assess and collect any civil penalty incurred under this subsection and, in his discretion, may remit, mitigate, or compromise any penalty until the matter is referred to the Attorney General. If a person against whom a civil penalty is assessed under this subsection fails to pay that penalty, an action may be commenced in the district court of the United States for any district in which the violation occurs for such penalty."

SEC. 9. The Act entitled "An Act to constitute a Bureau of Navigation in the Treasury Department", enacted July 5, 1884 (23 Stat. 118), is amended by adding at the end of section 8 (as added by section 9 of Public Law 97-136) the following new subsection:

"(d) In any case in which an inspection or examination is delegated under subsection (a) to the American Bureau of Shipping, or similar American classification society, or agent thereof, such Bureau, society, or agent, as the case may be, shall maintain within the United States complete files of all information derived from or necessarily connected with such inspection or examination for not less than two years after the vessel with respect to which the inspection or examination is made ceases to be certificated and shall permit access to such files at all reasonable times to any member of the Coast Guard designated as a marine inspector or designated in writing by the Commandant of the Coast Guard."

SEC. 10. Section 4417a of the Revised Statutes of the United States (46 U.S.C. 391a) is amended by striking out paragraph (11) and inserting in lieu thereof the following:

"(11) PERSONNEL AND MANNING STANDARDS FOR FOREIGN VESSELS.—The Secretary shall—

"(A) periodically evaluate the manning, training, qualification, and watchkeeping standards promulgated by the certifying state of any foreign vessel which operates on or enters the navigable waters of the United States, and transfers oil or hazardous materials in any port or place under the jurisdiction of the United States; and

"(B) determine, after each evaluation made under clause (A), whether the foreign state, whose system for licensing and certification of seafarers was evaluated, has standards which are comparable to or more stringent than United States standards or international standards which are accepted by the United States."

SEC. 11. Section 4417a(19) of the Revised Statutes of the United States (46 U.S.C. 391a(19)) is repealed.

SEC. 12. (a) Section 34 of the Federal Boat Safety Act of 1971 (46 U.S.C. 1483) is amended by striking out "\$1,000" and inserting in lieu thereof "\$5,000".

(b) Section 35(b) of the Federal Boat Safety Act of 1971 (46 U.S.C. 1484(b)) is amended by striking out "\$500" and inserting in lieu thereof "\$1,000".

SEC. 13. The Commandant of the Coast Guard shall review Coast Guard policies and procedures for towing and salvage of disabled vessels in order to further minimize the possibility of Coast Guard competition or interference with private towing activities or other commercial enterprise.

SEC. 14. Notwithstanding any other provision of law, the number of full-time civilian employees of the Coast Guard shall be maintained at a level not less than five thousand four hundred and eighty-four throughout fiscal years 1983 and 1984.

SEC. 15. (a)(1) Chapter 3 of title 14, United States Code, is amended by adding at the end thereof the following new section:

"§52. Vice admirals, continuity of grade

"The continuity of an officer's precedence on the active duty promotion list, date of rank, grade, pay, and allowances as a vice admiral shall not be interrupted by the termination of an appointment for the purpose of reappointment to another position as a vice admiral."

(2) The analysis of chapter 3 of title 14, United States Code, is amended by adding the following new item after the item relating to section 51:

"§52. Vice admirals, continuity of grade."

(b)(1) Section 368 of title 14, United States Code, is repealed.

(2) The analysis of chapter 11 of title 14, United States Code, is amended by striking out:

"368. Discharge in case of underage enlistment."

(c) Section 93 of title 14, United States Code, is amended by—

(1) striking out "and" at the end of subsection (p);

(2) striking out the period at the end of subsection (q) and inserting in lieu thereof "; and"; and

(3) adding at the end thereof the following new subsection:

"(r) provide medical and dental care for personnel entitled thereto by law or regulation, including care in private facilities."

SEC. 16. Section 306(f) of title 37, United States Code, is amended by striking out "The Secretary of Transportation shall make a similar report for the Coast Guard when the Coast Guard is not operating as a service in the Navy."

SEC. 17. Paragraph (1) of the first section of the Act entitled "An Act to authorize appropriations for the Coast Guard for fiscal year 1982, and for other purposes" (95 Stat. 1705; Public Law 97-136) is amended by striking out "\$1,404,800,000" and inserting in lieu thereof "\$1,548,800,000".

SEC. 18. (a)(1) Section 33(a) of the Federal Boat Safety Act of 1971 (46 U.S.C. 1482(a)) is amended by adding at the end thereof the following: "The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Council."

(2) Section 33(b) of the Federal Boat Safety Act of 1971 (46 U.S.C. 1482(b)) is amended by adding at the end thereof the following: "The Council is authorized to make available to Congress any information, advice, and recommendations which the Council is authorized to give to the Secretary."

(3) Section 33(c) of the Federal Boat Safety Act of 1971 (46 U.S.C. 1482(c)) is amended by striking out "when engaged in the duties of the Council" and inserting in lieu thereof "while attending meetings of the Council".

(b)(1) Section 193 of title 14, United States Code, is amended in the first sentence by inserting before the period the following: "(or, in the case of a member of the Committee who is an officer or employee of the United States, who shall receive no additional pay on account of his service on the Committee)".

(2) Section 193 of title 14, United States Code, is amended by adding at the end thereof the following: "The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Advisory Committee. The Advisory Committee is authorized to make available to Congress any information, advice, and recommendations which the Advisory Committee is authorized to give to the Secretary or the Commandant."

(c)(1) Section 5(a) of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073(a)) is amended by adding at the end thereof the following: "The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Council."

(2) Section 5(b) of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073(b)) is amended by adding at the end thereof the following: "The Council is authorized to make available to Congress any information, advice, and recommendations which the Council is authorized to give to the Secretary."

(3) Section 5(c) of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073(c)) is amended by striking out "or while otherwise engaged in the business of the Council" and by striking out "including traveltime".

(d) The Act entitled "An Act to establish a Towing Safety Advisory Committee in the Department of Transportation" (33 U.S.C. 1231a; 94 Stat. 1521) is amended as follows:

(1) Subsection (b) of the first section is amended by adding at the end thereof the following: "The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Committee."

(2) Subsection (c) of the first section is amended by adding at the end thereof the following: "The Committee is authorized to make available to Congress any information, advice, and recommendations which the Committee is authorized to give to the Secretary."

(3) Subsection (d) of the first section is amended by adding before the first sentence the following: "Members of the Committee who are not officers or employees of the United States shall serve without pay and members of the Committee who are officers or employees of the United States shall receive no additional pay on account of their service on the Committee. While away from their homes or regular places of business, members of the Committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code."

(e)(1) The Secretary of the department in which the Coast Guard is operating shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on any advisory committee established administratively for the purpose of giving advice and recommendations to such Secretary or the Commandant of the Coast Guard with respect to functions of the Coast Guard.

(2) Any advisory committee described in paragraph (1) of this subsection is authorized to make available to Congress any information, advice, and recommendations which the committee is authorized to give to the Secretary of the department in which the Coast Guard is operating or the Commandant of the Coast Guard.

(3) Members of any advisory committee described in paragraph (1) of this subsection who are not officers or employees of the United States shall serve without pay and members of any such committee who are officers or employees of the United States shall receive no additional pay on account of their service on such committee. While away from their homes or regular places of business, members of any such committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.

SEC. 19. Section 4450(a) of the Revised Statutes of the United States (46 U.S.C. 239(a)) is amended in the first sentence by inserting "or to the loss of life involved in such casualty" after "of such casualty".

SEC. 20. Section 4450 of the Revised Statutes of the United States (46 U.S.C. 239) is amended—

(a) by redesignating subsections (j) and (k) as subsections (k) and (l), respectively; and

(b) by inserting after subsection (i) the following new subsection:

"(j)(1) The Commandant of the Coast Guard shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives of any hearing involving the investigation of a major marine casualty involving loss of life under subsection (a) before such hearing occurs.

"(2) The Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Merchant Marine and Fisheries of the House of Representatives any information on major marine casualties which is requested to be submitted by either of the committees or the chairman of either of the committees if the submission of such information is not prohibited by any other statute of the United States."

SEC. 21. It is the sense of the Congress that the President and the Coast Guard should give the search and rescue operations of the Coast Guard a high priority.

UP AMENDMENT NO. 1300

Mr. BAKER. Mr. President, I move that the Senate concur in the House amendment with the further amendment which is at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Tennessee (Mr. BAKER) proposes an unprinted amendment numbered 1300.

Mr. BAKER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike out all after the enacting clause and insert:

TITLE I

SEC. 101. This title may be cited as the "Coast Guard Authorization Act of 1982".

SEC. 102. Funds are authorized to be appropriated for necessary expenses of the Coast Guard for fiscal years 1983 and 1984 as follows:

(1) For the operation and maintenance of the Coast Guard, including expenses related to the Capehart housing debt reduction, \$1,800,000,000 for fiscal year 1983 and \$2,000,000,000 for fiscal year 1984, and such additional amounts for each such fiscal year as may be necessary for increases in salary, pay, and other employee benefits authorized by law.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, \$550,000,000 for fiscal year 1983 and \$650,000,000 for fiscal year 1984.

(3) For research, development, test, and evaluation, \$22,000,000 for fiscal year 1983 and \$32,000,000 for fiscal year 1984, of which sufficient funds shall be made available to continue in operation a Coast Guard research and development center through the end of fiscal year 1984.

(4) For the alteration or removal of bridges over navigable waters of the United States, constituting obstructions to navigation, \$8,000,000, for fiscal year 1983.

(5) For retired pay including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and for payments for medical care of retired personnel and their dependents under the Dependents' Medical Care Act, such sums as may be necessary for fiscal years 1983 and 1984.

SEC. 103. For fiscal years 1983 and 1984, the Coast Guard is authorized an end-of-year strength for active duty personnel of forty-one thousand five hundred. This end-of-year strength shall not include members of the Ready Reserve called to active duty under the authority of section 712 of title 14, United States Code.

SEC. 104. For fiscal years 1983 and 1984, the Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training, three thousand six hundred and sixty student-years.

(2) For flight training, one hundred and eighteen student-years.

(3) For professional training in military and civilian institutions, six hundred and fifty-five student-years.

(4) For officer acquisition, one thousand thirty-eight student-years.

SEC. 105. (a) Section 81 of title 14, United States Code, is amended by adding at the end thereof the following: "The Coast Guard may establish, maintain, and operate aids to maritime navigation under paragraph (1) of this section by contract with any person, public body, or instrumentality."

(b) Not later than one year after the date of enactment of this title, the Secretary of the department in which the Coast Guard is operating shall submit a report to the Congress evaluating—

(1) the exercise by contract of the authority of the Coast Guard under section 81 of title 14, United States Code, to establish, maintain, and operate aids to navigation, including a discussion of any problems involved in exercising such authority by contract, the reasons for exercising or failing to exercise such authority by contract in particular areas, and the feasibility of expanding the exercise of such authority by contract; and

(2) the advantages and disadvantages of increasing the ratio of civilian to military employees assigned to the establishment, maintenance, and operation of aids to navigation on the inland waterways of the United States.

(c) Any authority to enter into contracts provided in this section shall be available only to the extent that appropriated funds are available for that purpose.

SEC. 106. Subsections (e) and (f) of section 475 of title 14, United States Code, are repealed.

SEC. 107. (a) Section 502(b) of the General Bridge Act of 1946 (33 U.S.C. 525(b)) is amended by adding at the end thereof the following: "This subsection shall not apply to any bridge over waters which are not subject to the ebb and flow of the tide and which are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce."

(b) Section 9 of the Act of March 3, 1899, entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes" (33 U.S.C. 401) is amended by adding at the end thereof the following: "The approval required by this section of the location and plans or any modification of plans of any bridge or causeway shall not apply to any bridge or causeway over waters which are not subject to the ebb and flow of the tide and which are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce."

(c) The first section of the Act of March 23, 1906, entitled "An Act to regulate the construction of bridges over navigable waters" (33 U.S.C. 491) is amended by adding at the end thereof the following: "This section shall not apply to any bridge over waters which are not subject to the ebb and flow of the tide and which are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce."

SEC. 108. (a) Section 5 of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", enacted August 18, 1894 (33 U.S.C. 499; 28 Stat. 362), is amended—

(1) by inserting "(a)" after "Sec. 5."

(2) by striking out "or who shall unreasonably delay the opening of said draw after reasonable signal shall have been given," in the second sentence;

(3) by striking out "section" and inserting in lieu thereof "subsection";

(4) by striking out "any violation" and inserting in lieu thereof "any willful violation"; and

(5) by adding at the end thereof the following new subsections:

"(b) No vessel owner or operator shall signal a drawbridge to open for any non-structural vessel appurtenance which is not essential to navigation or which is easily lowered and no person shall unreasonably delay the opening of a draw after the signal required by rules or regulations under this section has been given. The Secretary of Transportation shall issue rules and regulations to implement this subsection.

"(c) Whoever violates any rule or regulation issued under subsection (a) or (b), shall be liable to a civil penalty of not more than \$1,000. No penalty may be assessed under this subsection until the person charged is given notice and an opportunity for a hearing on the charge. The Secretary of Transportation may assess and collect any civil penalty incurred under this subsection and, in his discretion, may remit, mitigate, or compromise any penalty until the matter is referred to the Attorney General. If a person against whom a civil penalty is assessed under this subsection fails to pay that penalty, an action may be commenced in the district court of the United States for any district in which the violation occurs for such penalty."

(b) Section 18 of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", enacted March 3, 1899 (30 Stat. 1153; 33 U.S.C. 502), is amended by inserting "(a)" after "Sec. 18.", by striking out "Secretary of War" wherever it appears and inserting in lieu thereof "Secretary of Transportation", by striking out "recommended by the Chief of Engineers", and by adding at the end thereof the following new subsections:

"(b) No owner or operator of any bridge, drawbridge, or causeway shall endanger, unreasonably obstruct, or make hazardous the free navigation of any navigable water of the United States by reason of the failure to keep the bridge, drawbridge, or causeway and any accessory works in proper repair.

"(c) Whoever violates any provision of this section, or any order issued under this section, shall be liable to a civil penalty of not more than \$1,000. Each day a violation continues shall be deemed a separate offense. No penalty may be assessed under this subsection until the person charged is given notice and an opportunity for a hearing on the charge. The Secretary of Transportation may assess and collect any civil penalty incurred under this subsection and, in his discretion, may remit, mitigate, or compromise any penalty until the matter is referred to the Attorney General. If a person against whom a civil penalty is assessed under this subsection fails to pay that penalty, an action may be commenced in the district court of the United States for any district in which the violation occurs for such penalty."

(c) Section 5 of the Act entitled "An Act to regulate the construction of bridges over navigable waters", enacted March 23, 1906 (33 U.S.C. 495; 34 Stat. 85), is amended—

(1) by inserting "(a)" after "Sec. 5.;"

(2) by striking out "who shall fail" and inserting in lieu thereof "who shall willfully fail";

(3) by striking out "shall be deemed guilty of a violation of this Act, and any persons who shall be guilty of a violation of this Act"; and

(4) by adding at the end thereof the following new subsection:

"(b) Whoever violates any provision of this Act, or any order issued under this Act, shall be liable to a civil penalty of not more than \$1,000. Each day a violation continues shall be deemed a separate offense. No penalty may be assessed under this subsection until the person charged is given notice and an opportunity for a hearing on the charge. The Secretary of Transportation may assess and collect any civil penalty incurred under this subsection and, in his discretion, may remit, mitigate, or compromise any penalty until the matter is referred to the Attorney General. If a person against whom a civil penalty is assessed under this subsection fails to pay that penalty, an action may be commenced in the district court of the United States for any district in which the violation occurs for such penalty."

(d) Section 510 of the General Bridge Act of 1946 (60 Stat. 847; 33 U.S.C. 533) is amended—

(1) by inserting "(a)" after "Sec. 510.;"

(2) by striking out "who fails" each place it appears and inserting in lieu thereof "who willfully fails", by striking out "who refuses" and inserting in lieu thereof "who willfully refuses", and by striking out "otherwise violates" and inserting in lieu thereof "otherwise willfully violates"; and

(3) by adding at the end thereof the following new subsection:

"(b) Whoever violates any provision of this Act, or any order issued under this Act, shall be liable to a civil penalty of not more than \$1,000. Each day a violation continues shall be deemed a separate offense. No penalty may be assessed under this subsection until the person charged is given notice and an opportunity for a hearing on the charge. The Secretary of Transportation may assess and collect any civil penalty incurred under this subsection and, in his discretion, may remit, mitigate, or compromise any penalty until the matter is referred to the Attorney General. If a person against whom a civil penalty is assessed under this subsection fails to pay that penalty, an action may be commenced in the district court of the United States for any district in which the violation occurs for such penalty."

SEC. 109. The Act entitled "An Act to constitute a Bureau of Navigation in the Treasury Department", enacted July 5, 1884 (23 Stat. 118), is amended by adding at the end of section 8 (as added by section 9 of Public Law 97-136) the following new subsection:

"(d) In any case in which an inspection or examination is delegated under subsection (a) to the American Bureau of Shipping, or similar American classification society, or agent thereof, such Bureau, society, or agent, as the case may be, shall maintain within the United States complete files of all information derived from or necessarily connected with such inspection or examination for not less than two years after the vessel with respect to which the inspection or examination is made ceases to be certificated and shall permit access to such files at all reasonable times to any member of the Coast Guard designated as a marine inspector and serving in a position as a marine inspector or designated in writing by the

Commandant of the Coast Guard to have such access."

SEC. 110. Section 4417a of the Revised Statutes of the United States (46 U.S.C. 391a) is amended by striking out paragraph (11) and inserting in lieu thereof the following:

"(11) PERSONNEL AND MANNING STANDARDS FOR FOREIGN VESSELS.—The Secretary shall—

"(A) periodically evaluate the manning, training, qualification, and watchkeeping standards promulgated by the certifying state of any foreign vessel which operates on or enters the navigable waters of the United States, and transfers oil or hazardous materials in any port or place under the jurisdiction of the United States; and

"(B) determine, after each evaluation made under clause (A), whether the foreign state, whose system for licensing and certification of seafarers was evaluated, has standards which are comparable to or more stringent than United States standards or international standards which are accepted by the United States."

SEC. 111. Section 4417a(19) of the Revised Statutes of the United States (46 U.S.C. 391a(19)) is repealed.

SEC. 112. (a) Section 34 of the Federal Boat Safety Act of 1971 (46 U.S.C. 1483) is amended by striking out "\$1,000" and inserting in lieu thereof "\$5,000".

(b) Section 35(b) of the Federal Boat Safety Act of 1971 (46 U.S.C. 1484(b)) is amended by striking out "\$500" and inserting in lieu thereof "\$1,000".

SEC. 113. The Commandant of the Coast Guard shall review Coast Guard policies and procedures for towing and salvage of disabled vessels in order to further minimize the possibility of Coast Guard competition or interference with private towing activities or other commercial enterprise.

SEC. 114. Notwithstanding any other provision of law, the number of full-time civilian employees of the Coast Guard shall be maintained at a level not less than five thousand four hundred and eighty-four throughout fiscal years 1983 and 1984.

SEC. 115. (a)(1) Chapter 3 of title 14, United States Code, is amended by adding at the end thereof the following new section:

"§ 52. Vice admirals, continuity of grade

"The continuity of an officer's precedence on the active duty promotion list, date of rank, grade, pay, and allowances as a vice admiral shall not be interrupted by the termination of an appointment for the purpose of reappointment to another position as a vice admiral."

(2) The analysis of chapter 3 of title 14, United States Code, is amended by adding the following new item after the item relating to section 51:

"52. Vice admirals, continuity of grade."

(b)(1) Section 368 of title 14, United States Code, is repealed.

(2) The analysis of chapter 11 of title 14, United States Code, is amended by striking out:

"368. Discharge in case of underage enlistment."

(c) Section 93 of title 14, United States Code, is amended by—

(1) striking out "and" at the end of subsection (p);

(2) striking out the period at the end of subsection (q) and inserting in lieu thereof "; and "; and

(3) adding at the end thereof the following new subsection:

"(r) provide medical and dental care for personnel entitled thereto by law or regulation, including care in private facilities."

SEC. 116. Section 306(f) of title 37, United States Code, is amended by striking out "The Secretary of Transportation shall make a similar report for the Coast Guard when the Coast Guard is not operating as a service in the Navy."

SEC. 117. Paragraph (1) of the first section of the Act entitled "An Act to authorize appropriations for the Coast Guard for fiscal year 1982, and for other purposes" (95 Stat. 1705; Public Law 97-136) is amended by striking out "\$1,404,800,000" and inserting in lieu thereof "\$1,548,800,000".

SEC. 118. (a)(1) Section 33(a) of the Federal Boat Safety Act of 1971 (46 U.S.C. 1482(a)) is amended by adding at the end thereof the following: "The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Council."

(2) Section 33(b) of the Federal Boat Safety Act of 1971 (46 U.S.C. 1482(b)) is amended by adding at the end thereof the following: "The Council is authorized to make available to Congress any information, advice, and recommendations which the Council is authorized to give to the Secretary."

(3) Section 33(c) of the Federal Boat Safety Act of 1971 (46 U.S.C. 1482(c)) is amended by striking out "when engaged in the duties of the Council" and inserting in lieu thereof "while attending meetings of the Council".

(b)(1) Section 193 of title 14, United States Code, is amended in the first sentence by inserting before the period the following: "(or, in the case of a member of the Committee who is an officer or employee of the United States, who shall receive no additional pay on account of his service on the Committee)".

(2) Section 193 of title 14, United States Code, is amended by adding at the end thereof the following: "The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Advisory Committee. The Advisory Committee is authorized to make available to Congress any information, advice, and recommendations which the Advisory Committee is authorized to give to the Secretary or the Commandant."

(c)(1) Section 5(a) of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073(a)) is amended by adding at the end thereof the following: "The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Council."

(2) Section 5(b) of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073(b)) is amended by adding at the end thereof the following: "The Council is authorized to make available to Congress any information, advice, and recommendations which the Council is authorized to give to the Secretary."

(3) Section 5(c) of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073(c)) is amended by striking out "or while otherwise engaged in the business of the Council" and by striking out ", including traveltime".

(d) The Act entitled "An Act to establish a Towing Safety Advisory Committee in the Department of Transportation" (33 U.S.C. 1231a; 94 Stat. 1521) is amended as follows:

(1) Subsection (b) of the first section is amended by adding at the end thereof the

following: "The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Committee."

(2) Subsection (c) of the first section is amended by adding at the end thereof the following: "The Committee is authorized to make available to Congress any information, advice, and recommendations which the Committee is authorized to give to the Secretary."

(3) Subsection (d) of the first section is amended by adding before the first sentence the following: "Members of the Committee who are not officers or employees of the United States shall serve without pay and members of the Committee who are officers or employees of the United States shall receive no additional pay on account of their service on the Committee. While away from their homes or regular places of business, members of the Committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code."

(e)(1) The Secretary of the department in which the Coast Guard is operating shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on any advisory committee established administratively for the purpose of giving advice and recommendations to such Secretary or the Commandant of the Coast Guard with respect to functions of the Coast Guard.

(2) Any advisory committee described in paragraph (1) of this subsection is authorized to make available to Congress any information, advice, and recommendations which the committee is authorized to give to the Secretary of the department in which the Coast Guard is operating or the Commandant of the Coast Guard.

(3) Members of any advisory committee described in paragraph (1) of this subsection who are not officers or employees of the United States shall serve without pay and members of any such committee who are officers or employees of the United States shall receive no additional pay on account of their service on such committee. While away from their homes or regular places of business, members of any such committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.

SEC. 119. Section 4450(a) of the Revised Statutes of the United States (46 U.S.C. 239(a)) is amended in the first sentence by inserting "or to the loss of life involved in such casualty" after "of such casualty".

SEC. 120. Section 4450 of the Revised Statutes of the United States (46 U.S.C. 239) is amended—

(a) by redesignating subsections (j) and (k) as subsections (k) and (l), respectively; and

(b) by inserting after subsection (i) the following new subsection:

"(j)(1) The Commandant of the Coast Guard shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives of any hearing involving the investigation of a major marine casualty involving loss of life under subsection (a) before such hearing occurs.

"(2) The Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Merchant Marine and Fisheries of the House of Representatives any information on major

marine casualties which is requested to be submitted by either of the committees or the chairman of either of the committees if the submission of such information is not prohibited by any other statute of the United States."

SEC. 121. It is the sense of the Congress that the President and the Coast Guard should give the search and rescue operations of the Coast Guard a high priority.

TITLE II

SEC. 201. This title may be cited as the "Sailing School Vessels Act of 1982."

SEC. 202. The Act entitled "An Act to require the inspection and certification of certain vessels carrying passengers", enacted May 10, 1956 (46 U.S.C. 390 et seq.; 70 Stat. 151), is amended as follows:

(1) Subsection (a) of the first section is amended by inserting "or any guest on board a sailing school vessel," after "purposes" in paragraph (5). Such subsection is further amended by striking out "or" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof "or," and by adding at the end thereof the following:

"(7) any sailing school instructor or sailing school student."

(2) Section 2(a) is amended by striking out "and each freight-carrying vessel," and inserting in lieu thereof "each freight-carrying vessel, and each sailing school vessel". Section 2(a)(3) is amended by striking out "and the crew" and inserting in lieu thereof "crew, sailing school students and sailing school instructors".

(3) Section 3 is amended by striking out "and freight-carrying vessels" and inserting in lieu thereof "freight-carrying vessels, and sailing school vessels". Section 3 is further amended by striking out "and crew," and inserting in lieu thereof "crew, sailing school students, and sailing school instructors," and by inserting after "number of passengers" the following: "sailing school students, and sailing school instructors".

(4) Sections 4(a), 4(b), and 5 are each amended by striking out "or freight-carrying vessel" each place it appears and inserting in lieu thereof "freight-carrying vessel, or sailing school vessel".

(5) Section 5 is further amended by designating the existing language, as amended by this Act, as subsection (a) and by adding at the end thereof the following new subsection:

"(b) Whoever violates any rule or regulation of this Act shall be liable to a civil penalty of not more than \$1,000. Each day a violation continues shall be deemed a separate offense. No penalty may be assessed under this subsection until the person charged is given notice and an opportunity for a hearing on the charge. The Secretary of the Department in which the Coast Guard is operating may assess and collect any civil penalty incurred under this subsection and, in his discretion, may remit, mitigate, or compromise any penalty until the matter is referred to the Attorney General. If a person against whom a civil penalty is assessed under this subsection fails to pay that penalty, an action may be commenced in the district court of the United States for any district in which the violation occurs for such penalty."

(6) The first section is further amended by adding at the end thereof the following:

"(f) The term 'sailing instruction' means teaching, research, and practical experience in the operation of vessels propelled primarily by sail and may include any subjects related thereto and to the sea, including but not limited to seamanship, navigation,

oceanography, other nautical and marine sciences, and maritime history and literature.

"(g) The term 'sailing school vessel' means a vessel which the Secretary finds to be less than five hundred gross tons, carrying six or more individuals who are sailing school students or sailing school instructors, principally equipped for propulsion by sail, whether or not the vessel has any auxiliary means of propulsion, and owned or demise chartered and operated by an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 and exempt from tax under section 501(a) of such Code, as now or hereafter amended, or by any State or political subdivision thereof, during such times as the vessel is operated by such organization or State or political subdivision exclusively for the purposes of sailing instruction.

"(h) The term 'sailing school instructor' means any person who is aboard a sailing school vessel for the purpose of furnishing sailing instruction. Such term does not include any operator or member of the crew of such a vessel who is among those required to be aboard the vessel to meet requirement establishing under section 3 of this Act.

"(i) The term 'sailing school student' means any person who is aboard a sailing school vessel for the purpose of receiving sailing instruction."

SEC. 203. Section 13(b) of the Act of March 4, 1915 (46 U.S.C. 672(b)), is amended by adding at the end thereof the following new paragraph:

"(4) 'Able seaman-sail' qualified for service on any waters shall have at least six months' service on deck on sailing school ships, oceanographic research vessels powered primarily by sail, or equivalent sailing vessels operating on the oceans or navigable waters of the United States including the Great Lakes."

SEC. 204. Sailing school students and sailing school instructors shall not be considered to be seamen under the provisions of titles 52 and 53 of the Revised Statutes of the United States and any Act amendatory thereof or supplementary thereto, or for the purposes of the maritime law doctrines of maintenance and cure or warranty of seaworthiness.

SEC. 205. Each owner or charterer of a sailing school vessel shall maintain evidence of his or her financial responsibility to meet any liability incurred for death or injury to sailing school students or sailing school instructors on voyages aboard the vessel, in an amount not less than \$50,000 for each student or instructor. Such financial responsibility may be evidenced by policies of insurance or other adequate financial resources.

SEC. 206. For the purposes of section 3 of the Act of February 17, 1898 (46 U.S.C. 291), and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. 883), a sailing school vessel shall not be deemed to be a merchant vessel or a vessel engaged in trade or commerce.

SEC. 207. For purposes of sections 203, 204, 205, 206, and 208 of this title, the terms "sailing school students", "sailing school instructor", and "sailing school vessel" have the meaning given such terms in the first section of the Act entitled "An Act to require the inspection and certification of certain vessels carrying passengers", enacted May 10, 1956 (46 U.S.C. 390) as amended by this title.

SEC. 208. (a) The Secretary of the department in which the Coast Guard is operating shall, after consultation with representatives of the private sector having experience in the operation of vessels likely to be certi-

fied as sailing school vessels, but not later than 18 months after the date of enactment of this title, prescribe rules and regulations to carry out this title including the amendments made by this title. Such rules and regulations shall reflect the specialized nature of sailing school vessel operations, and the character, design, and construction of vessels operating as sailing school vessels, and shall include requirements for notice to sailing school students and sailing school instructors regarding the specialized nature of sailing school vessels and applicable safety regulations. Any manning requirement imposed with respect to sailing school vessels shall take into account the participation of sailing school students and sailing school instructors in the operation of such vessels.

(b) Sections 202, 203, 204, 205, 206, and 207 of this title and the amendments made by such sections shall take effect eighteen months after the date of enactment of this Act or on the date upon which the rules and regulations referred to in subsection (a) take effect, whichever is earlier.

● Mr. PACKWOOD. Mr. President, I am pleased to bring before the Senate once again S. 2252, an act to authorize appropriations for the Coast Guard for fiscal years 1983 and 1984.

S. 2252 was originally reported by the Commerce Committee this past spring following indepth hearings on the state of the Coast Guard. Those hearings firmly established that the Coast Guard continues to be overburdened, undermanned, and underfunded to properly carry out the numerous functions which Congress has required of it. Every year we ask the Coast Guard to do more and more, to find more drug traffickers, to save more fishermen who have overturned their boats at sea, to inspect more vessels, to rescue more recreational boaters, to assist the Navy in its national security role, to prevent and clean up oil spills; and yet we fail to provide the budget and personnel the Coast Guard needs to carry out their missions.

I can speak from personal experience in Oregon, I have been on Coast Guard boats, in Coast Guard helicopters, and been involved in some search and rescue missions. There is no governmental organization in the State of Oregon that is held in higher esteem than the Coast Guard. I am personally going to do everything as a Senator and as chairman of the Commerce Committee to make sure that the budget is as full and as fair as we can possibly make it. I hope to be able to convince the President that indeed in this particular area it is pennywise and pound foolish to be as cautious and weary of funding as this and other administrations have been with the Coast Guard in the past.

I know that I have tremendous Senate support in this endeavor. During hearings, Senators JOHN CHAFFEE, BILL COHEN, CHRISTOPHER DODD, GEORGE MITCHELL, and CLAI-BORNE PELL all appeared before the Commerce Committee to testify on the urgent need for sufficient funding.

Last winter, 33 Senators joined me in urging that the Appropriations Committee appropriate funding commensurate with that authorized by the Commerce Committee. These 33 Members represented all geographical areas of the country and both sides of the aisle. Whether chiefly concerned with the immigration patrol, drug interdiction, search and rescue, or national security functions, all were united in our belief that the Coast Guard must be adequately funded.

The Congressional Research Service this year completed a major study on the state of the U.S. Coast Guard, and it, too, confirmed that the service simply must have the basic resources to carry out its multiple missions which include enforcement of laws and treaties—including fisheries enforcement—port and environmental safety, marine and environmental response, waterways management, bridge administration, aids-to-navigation—lighthouses—ice breaking, commercial vessel safety, recreational boating safety, search and rescue, and marine science support.

Just last week, the General Accounting Office completed a study of the Coast Guard concluding that the service is too small and undermanned to perform all of the tasks assigned to it. The study stated that the Coast Guard is considerably strained by: "First, an overall shortage of resources, such as money and personnel; and second, inherent equipment limitations."

Thus the record has been clearly established through hearings on both the Senate and House side, through the Congressional Research Service, through the General Accounting Office, and through continued strong bipartisan efforts, that the Coast Guard must receive significantly more, not less, congressional support in the future.

It is against this backdrop, and the budget-necessitated cutbacks in services which have occurred this past year, that support for the Coast Guard is growing even stronger.

Thus, after the Senate concluded its consideration of S. 2252, passed by unanimous consent this past spring, the House voted 348 to 25 to increase the authorization levels considerably over that contained in the Senate-passed version. For fiscal year 1983 the House would authorize \$263 million over the Senate bill, for a total of \$2.88 billion. For fiscal year 1984, the House would increase the authorization by \$77 million, for a total of \$3.14 billion.

When the House-amended version of S. 2252 was returned to the Senate in early August, many of us were prepared to accept the higher House numbers. Those higher numbers only reflect what the Coast Guard claims it needs simply to continue the current

level of services. Any reduction in those figures according to the Coast Guard would result in a reduction in services. It is my belief that the Coast Guard, like any other branch of the Federal Government, can take cost saving measures—such as consolidation of recruiting offices. However, in light of the continued cutbacks in services, the CRS and GAO reports, we were not prepared to return to the original Senate figures. The result is a compromise agreed upon by the Commerce Committee and Budget Committee which returns to the very adequate Senate figures for fiscal year 1984, but seeks a balance between the Senate and House authorized figures for fiscal year 1983.

In addition to the Coast Guard authorization, this bill contains provisions of another piece of legislation which has bipartisan support and is, to my knowledge, without controversy. S. 2691 amends Coast Guard regulation of sailing school ships. The language found in this bill reflects the close cooperation and attention to detail by both majority and minority staff, together with the expertise of the Coast Guard.

It is our sincere hope that the House will agree to this compromise and adopt S. 2252 as amended by the Senate today.●

● Mr. GORTON. Mr. President, I am pleased today to rise in support of the Coast Guard Authorization Act for 1983 and 1984. The Coast Guard plays a vital role in the Pacific Northwest, and in the Nation, in its responsibilities for fisheries enforcement, drug interdiction, commercial vessel safety, pollution control, immigration enforcement, and search and rescue, to name only some of its duties. Yet the Coast Guard, with its ever-expanding responsibilities, is historically underfunded and under-equipped to handle these vital tasks. In the Pacific Northwest, with the advent of the 200-mile Fisheries Conservation Zone, the Coast Guard's responsibilities for fisheries enforcement alone have greatly increased. Yet there has been no commensurate increase in Coast Guard resources.

In my judgment, this legislation, which I am proud to have cosponsored since its introduction, strikes the right balance between recognition of our current fiscal crisis and the need to have a well-equipped naval force to protect and regulate our marine and maritime interests. I urge my colleagues to join in enthusiastically supporting the Coast Guard authorization bill for 1983 and 1984.

Mr. President, title II of this bill incorporates with several modifications the provisions of S. 2691, the Sailing School Vessels Act of 1982, which I introduced with Senators PACKWOOD, PELL, and CHAFFEE earlier this year.

The purpose of this title is to direct the Coast Guard to promulgate regulations which are suited to the particular characteristics of sailing school vessels. Sailing school vessels are operated by nonprofit educational institutions for the exclusive purpose of teaching students a variety of maritime-related subjects.

The legislation would amend section 46 U.S.C. 390 to include sailing school ships within a category now limited to small passenger and small freight-carrying vessels. At present, sailing school ships are regulated either as if they were oceanographic research or large passenger carrying vessels.

The Coast Guard would be required to issue final regulations within 18 months to provide as necessary for the design, construction, alteration, or repair of sailing school vessels, and for their operation, including manning requirements and crew qualifications. More specific regulations in the areas of vessel stability, compartmentation, and utility systems, where sailing ships may differ significantly from other vessel types, may also be necessary.

There are numerous well-built historic and classic wooden sailboats that this country should insure are maintained, used, and appreciated. These vessels need gainful employment to be maintained and survive. Many are perfectly suited for use as sailing school ships. Rather than render them obsolete for all but maritime museums, the Coast Guard should devise a well-tailored set of rules that will assure their continued utilization, consistent with basic safety.

Mr. President, I encourage passage of the Coast Guard authorization bill with amendments to establish a distinct class of sailing school vessels.●

● Mr. HOLLINGS. Mr. President, today we are considering S. 2252, the Coast Guard Authorization Act for fiscal years 1983 and 1984, as amended. This is the second time we have taken such a bill up for consideration this year, and it represents a compromise between funding levels that have been previously approved in both the House and Senate. I strongly urge its enactment by Members of this body, as it is a necessary step toward insuring a continued strong contribution by the Coast Guard to the overall national interest of the United States.

Over the past decade, we in the Congress, as well as those in prior administrations, have repeatedly asked the Coast Guard to perform new and enhanced responsibilities. Always ready to serve, the Coast Guard took on these tasks, many times without the necessary resources it required to adequately perform them.

As time passed, and funding levels have been either held constant or reduced, the Coast Guard has been

forced to make some difficult decisions—either try to carry on as best as possible or be forced to cut back personnel levels and mothball equipment. To the armchair critics at the Office of Management and Budget, this meant the Coast Guard was operating inefficiently, necessitating, in their minds, substantial reductions. Finally, in light of the drastic cutbacks proposed by the administration earlier this year, Congress provided emergency supplemental funds necessary to keep those facilities in operation through the end of the current fiscal year.

The Coast Guard of today cannot be continually asked to do more and more with less and less. S. 2252 provides us with an opportunity to correct this situation in order to preserve the Coast Guard for at least the next 2 fiscal years, authorizing \$5.9 billion. Over the 2-year period, this will allow the Coast Guard to begin to adequately perform its many duties. S. 2252, as amended, also contains a number of minor changes in law which I believe will help guarantee the most effective use of those Coast Guard resources which are available.

There are some among us, Mr. President, who fear that by passing S. 2252 we will provide authority for funding far in excess of the fiscal year 1983 budget resolution. They claim that in the past, the Coast Guard authorization bill has tended to be fully funded by the Appropriations Committees, and that by passing this bill those committees will be under pressure to provide the entire authorization level, thereby making it a "budget buster."

Mr. President, I do not agree with this one iota. The total pot of money allocated to the Appropriations Committee is limited; how it decides to distribute that money among specific programs is the prerogative of that committee and subsequently subject to approval by this body. While I urge the full funding of S. 2252 by the Appropriations Committee, I do not anticipate that such action will cause any particular spending bill to exceed the total specified by the budget resolution. Furthermore, because such a large percentage of the overage comes in 1984, we in Congress will have more than enough time to review those levels later and make any necessary changes in priorities.

S. 2252, as it now comes before us, represents a compromise which I believe will be acceptable to Members of both the House and Senate. It provides a level of funding needed to adequately support the Coast Guard and I therefore strongly support it. ●

Mr. DOMENICI. Mr. President, we have before us today S. 2252, the Coast Guard authorization bill for fiscal years 1983 and 1984.

This bill passed the Senate by voice vote last May. The Senate bill was sub-

sequently amended by the House, passed, and returned to the Senate. Today, the Commerce Committee is proposing that we approve a further amendment to the bill and return it to the House.

The further amendment being proposed by the Commerce Committee represents a compromise between the authorization levels that have previously been passed by the House and Senate. I am willing to agree to the proposed compromise, but I would like to point out my concern about the authorization levels, particularly for fiscal year 1984.

S. 2252 authorizes funds for Coast Guard operations, capital expenditures, research and development, and benefits for retired personnel for fiscal years 1983 and 1984. The 2-year authorization total as originally passed by the Senate was \$5.8 billion. The 2-year total as passed the House was \$6.1 billion. The proposed compromise before us today would authorize \$5.9 billion for the 2-year period.

Mr. President, these amounts compare to the levels in the first budget resolution as follows:

The original Senate-passed level is \$700 million over the first budget resolution;

The House-passed level is \$1 billion over the resolution level; and

The proposed compromise before us today is \$800 million over the resolution.

Most of this coverage occurs in fiscal year 1984.

I recognize, Mr. President, that this is an authorization bill and that the final budget levels will ultimately be set in the appropriations process. But I want to make sure that the Senate understands that, if past experience is a guide, the actual appropriations are likely to exceed the budget resolution levels. During the fiscal years 1979 through 1982, actual appropriations amounted to 99 percent of the authorized levels.

I am sure we all understand why this is the case. These are important and popular programs. Over half the Senate represents coastal or Great Lakes States. And in the past several years the Coast Guard has taken or expanded missions and responsibilities. During the 4-year period, between fiscal year 1978 and fiscal year 1982, appropriations have increased by 78 percent, including a special \$300 million transfer from the Department of Defense in fiscal year 1982.

Mr. President, I do not mean to downplay the importance of the Coast Guard in any way. But if we continue to fund Coast Guard programs in fiscal years 1983 and 1984 with the same zeal that has occurred in the previous 4 years, we will either have to cut other programs below existing levels or we will exceed our budget targets.

I have agreed to the proposed compromise because I believe it is the best we can achieve at this point. But I hope that the Appropriations Committee will give Coast Guard appropriations special scrutiny this year and next with the aim of making sure that our overall budget targets are not exceeded. I, for one, will do whatever I can to assist the Appropriations Committee in this effort, and I call on my colleagues to do likewise.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. HARRY F. BYRD, JR. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR RECOGNITION OF SENATOR CHILES ON TOMORROW

Mr. BAKER. Mr. President, while we await final clearance on the Sallie Mae conference report, I ask unanimous consent that on tomorrow, after the recognition of the two leaders under the standing order, the Senator from Florida (Mr. CHILES) be recognized on a special order of not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I have two requests that I believe have been cleared by the minority and I will state them now for the consideration of the acting minority leader and for other Senators.

EXTENSION OF TIME FOR COMMITTEE ON FINANCE TO FILE REPORT TO ACCOMPANY H.R. 6056

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Finance have until midnight tonight to file a report to accompany H.R. 6056.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER THAT HOUSE CONCURRENT RESOLUTION 412 BE HELD AT THE DESK

Mr. BAKER. Mr. President, I ask unanimous consent that, once the Senate receives from the House of Representatives House Concurrent Resolution 412, commemorating the USDA Graduate School, it be held at the desk pending further disposition.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, there are perhaps two other matters to be dealt with and, while we await final clearance, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I understand now that the minority is in a position to clear consideration of the conference report on Sallie Mae. Could I inquire of the acting minority leader if that is the case?

Mr. HARRY F. BYRD, JR. That is correct.

Mr. BAKER. I thank the Senator.

SALLIE MAE TECHNICAL AMENDMENTS OF 1982—CONFERENCE REPORT

Mr. BAKER. Mr. President, I submit a report of the committee of conference on S. 2852 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2852) to amend section 439 of the Higher Education Act of 1965 to make a technical amendment relating to priority of indebtedness, to provide for the family contribution schedule for student financial assistance for academic years 1983-84, and 1984-85, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report will be printed in the House proceedings of the RECORD.)

Mr. HATCH. Mr. President, it is with great satisfaction that I submit for Senate approval the conference report on S. 2852, now known as the Student Financial Assistance Amendments Act of 1982. In conference with the House last Thursday, Senators STAFFORD, PELL, RANDOLPH, and myself reached what I feel to be a very satisfactory resolution of some difficult issues.

There was general agreement on the great majority of differences between S. 2852 and H.R. 7048; agreement insuring that the Pell grant program will continue to function in the most equitable way under current conditions; agreement that veterans' eligi-

bility for Pell grants will be substantially restored this year using already appropriated funds; agreement that the Student Loan Marketing Association (Sallie Mae) will continue to be able to provide the vital secondary market for student loans by selling its bonds on the private market. In addition, the House agreed to back up loan disclosure protection for student borrowers.

On the difficult question of extending Sallie Mae's profitable loan consolidation authority to the State loan guarantee agencies, the conferees reached a compromise providing that Sallie Mae's own authority to consolidate will terminate as of August 1, 1983. This will give Congress the opportunity to consider, after the issuance of a GAO review report in March, the entire consolidation program and its extension to the State agencies. This preserves to students the consolidation option in the interim and insures that healthy, cost-saving recommendations arising from the report will promptly be addressed.

Finally, all of these beneficial amendments will be accomplished at no additional cost to the Federal Government. I urge prompt and favorable Senate action.

Mr. STAFFORD. Mr. President, today Senator HATCH, Senator PELL, Senator RANDOLPH, and myself are bringing before the full Senate for consideration the Student Financial Assistance Technical Amendments of 1982. Late last week, members of the House-Senate conference committee on this important legislation came to a final agreement. I am quite pleased with the result and I urge my colleagues to join with us in passing the conference report at the earliest possible time.

Mr. President, this legislation will greatly improve the student financial aid delivery system in a number of ways. First, the needs analysis systems for both the Pell grant program and the guaranteed student loan program are now set in law for academic year 1983-84. This means that millions of students and their families will no longer be caught in the struggle between the Congress and the Department of Education over the timely publication and approval of the family contribution schedules.

Second, a very serious problem created by the Omnibus Reconciliation Act of 1981 which greatly reduced the number and amount of Pell grants received by our Nation's veterans has been corrected. The conferees have even devised a method to take care of this problem for those veterans affected in the current school year. Obviously, it was never the intention of the Congress that those who have served our Nation should be penalized when they apply for Federal student financial assistance, and the amendments

contained in our conference report correct this problem.

Of all the provisions in the Senate-passed bill, S. 2852, the Senate conferees were constrained to drop just one, that of State student loan consolidation. As the sponsor of this provision, I felt strongly that it should be included, but faced with the substantial opposition of my colleagues from the House, it was clear that an agreement could not be worked out on this issue. Instead, the conferees agreed to terminate the student loan consolidation authority of Sallie Mae by August 1, 1983, so that the issue of student loan consolidation could be discussed by the Congress early next year. As chairman of the Senate Education Subcommittee, it would be my intention to act upon legislation to provide student loan consolidation authority for the State guarantee agencies and Sallie Mae early in the next Congress.

Finally, Mr. President, I want to thank our full committee chairman for his tremendous handling of this bill. Senator HATCH has proved his facility in dealing with complicated legislative issues, and he has also, once again, indicated his strong commitment to our Federal student aid programs which help low- and middle-income families send their young people to college. I want to thank him for his extraordinary efforts on this legislation, and its timely consideration and passage.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. BAKER. Mr. President, I move that the Senate recede from its disagreement to the House amendment to the title.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

REVISED APPOINTMENT OF CONFEREES TO H.R. 6267

Mr. BAKER. Mr. President, I am advised that both sides of the aisle have agreed to a revision in the appointment of conferees to H.R. 6267, the banking bill. If the distinguished acting minority leader is prepared to consider that request at this time, I am prepared to put a request as suggested by the managers.

Mr. HARRY F. BYRD, JR. Mr. President, the minority is prepared.

Mr. BAKER. Mr. President, I ask unanimous consent that the appointment of conferees on the part of the Senate with the House on H.R. 6267 may be amended to read as follows: Mr. GARN, Mr. TOWER, Mr. LUGAR, Mr. RIEGLE, and Mr. CRANSTON.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. I thank the Chair.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I am standing here in the vain hope that some other measure may be brought to my attention that I can ask the Senate to consider at this point. So that we can fully explore that possibility, I am going to wait a few moments before I ask the Senate to go into recess.

Once again, I regret that we cannot better utilize the remaining hours in this day. The hours remaining before our adjournment for the October campaign season are very few. This afternoon we have tried to clear a number of measures for consideration by unanimous consent without success.

As I indicated earlier, I am really at the mercy of the unanimous-consent process, since there will be no record votes today. Therefore, a motion to proceed would be futile since the vote would be stacked until after 2 p.m. tomorrow. That is necessitated, as Members will recall, because of the religious holiday which many of our Members will observe today, and the arrangement is consistent with the precedent of the Senate in this case for many years. Therefore, I must reluctantly conclude there is nothing else to be done.

But, while I wait, perhaps vainly, for something else to develop, I suggest the absence of a quorum.

Mr. HARRY F. BYRD, JR. Will the Senator withhold?

Mr. BAKER. Yes, I withhold the request.

Mr. HARRY F. BYRD, JR. Mr. President, the majority leader has several times asked for volunteers to submit legislation. In order to accommodate the majority leader, the Senator from Virginia would be very glad to submit a proposal to the Senate at this point to mandate a balanced budget.

Mr. BAKER. Mr. President, I would not only favor the action but I would favor the proposal, but I am afraid we would have to run that through our regular clearance process on both sides. If the Senator wishes me to do that, I will begin that process.

Mr. HARRY F. BYRD, JR. Well, I will temporarily withdraw that.

Mr. BAKER. I think we both know that while it is a meritorious proposal, it has little chance to survive unanimous consent on this day. But I am grateful for the suggestion from the Senator and I wish it were otherwise.

Mr. President, I am advised now that the one matter I had hoped for cannot be cleared this afternoon.

So I would inquire if any Member has any other matter they wish to address to the attention of the Senate. I do not hear a rousing chorus of response.

ORDER FOR RECORD TO REMAIN OPEN UNTIL 4 P.M.

Mr. BAKER. Mr. President, I ask unanimous consent that the RECORD remain open until 4 p.m. this afternoon for the insertion of statements or for the introduction of bills, resolutions, petitions, and memorials.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9:15 A.M. TOMORROW

Mr. BAKER. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate now stand in recess until the hour of 9:15 a.m. tomorrow.

The motion was agreed to; and at 2:18 p.m. the Senate recessed until Tuesday, September 28, 1982, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate September 27, 1982:

DEPARTMENT OF STATE

Richard T. Kennedy, of the District of Columbia, to be Ambassador at Large.

INTER-AMERICAN FOUNDATION

Victor Blanco, of California, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 1988, vice Peter Taylor Jones, term expired.

THE JUDICIARY

Lawrence S. Margolis, of Maryland, to be a Judge of the U.S. Claims Court for a term of 15 years vice a new position created by Public Law 97-164.

Haldane Robert Mayer, of Virginia, to be a Judge of the U.S. Claims Court for a term of 15 years vice a new position created by Public Law 97-164.

DEPARTMENT OF JUSTICE

J. Raymond Bell, of the District of Columbia, to be Chairman of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 1985, reappointment.

PUBLIC HEALTH SERVICE

The following candidate for personnel action in the regular corps of the Public Health Service subject to qualifications therefor as provided by law and regulations: For appointment: To be Senior Surgeon: William E. Mayer.

IN THE AIR FORCE

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, Section 601:

To be lieutenant general

Lt. Gen. Larry D. Welch, xxx-xx-xxxx FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 8019, for appointment as chief, Air Force Reserve.

To be chief, Air Force Reserve

Maj. Gen. Sloan R. Gill, xxx-xx-xxxx FV, Air Force Reserve.

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. John L. Piotrowski, xxx-xx-xxxx FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Robert D. Russ, xxx-xx-xxxx FR, U.S. Air Force.

IN THE ARMY

The following-named Army National Guard of the United States officer for appointment to the grade of brigadier general as a Reserve commissioned officer of the Army under the provision of title 10, United States Code, sections 593(a) and 3385:

To be brigadier general

Col. Paul J. Kopsch, xxx-xx-xxxx FR, U.S. Army. The following-named Army National Guard of the United States officer for appointment to the grade of brigadier general as a Reserve commissioned officer of the Army under the provision of title 10, United States Code, sections 593(a) and 3385:

To be brigadier general

Col. Philip B. Finley, xxx-xx-xxxx FR, U.S. Army. The following-named officer for appointment in the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 611(a) and 624:

To be brigadier general, Chaplain's Corps

Col. Paul O. Forsberg, xxx-xx-xxxx U.S. Army.

The following-named officer under the provisions of title 10, United States Code, sections 3036 and 4040, to be appointed as Assistant Surgeon General (Dental), U.S. Army:

To be assistant surgeon general (Dental), U.S. Army

Brig. Gen. Hubert T. Chandler, xxx-xx-xxxx Dental Corps, U.S. Army.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. James B. Vaught, xxx-xx-xxxx age 56, U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Louis C. Menetrey, xxx-xx-xxxx U.S. Army.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. John Rutherford McGiffert II, xxx-xx-xxxx age 56, U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by

the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Edward Allen Partain, xxx-xx-xxxx
xxx-xx-xxxx U.S. Army.

IN THE NAVY

The following named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Rear Adm. James A. Sagerholm, xxx-xx-xxxx
xxx-xx-xxxx 1120, U.S. Navy.

IN THE AIR FORCE

The following officers for appointment in the Regular Air Force in the grade indicated, under the provisions of section 531 and 716, title 10, United States Code, with date of rank to be determined by the Secretary of the Air Force.

LINE OF THE AIR FORCE

To be major

Baker, Robert W., xxx-xx-xxxx
Divine, Michael D., xxx-xx-xxxx

To be captain

Hale, Cheryl E., xxx-xx-xxxx
Rondeau, Janis M., xxx-xx-xxxx

The following officers for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform duties indicated, and with grades and dates of rank to be determined by the Secretary of the Air Force in accordance with section 533, title 10, United States Code.

MEDICAL CORPS

Agresti, Francis L., xxx-xx-xxxx
Antonio, Melvin Q., xxx-xx-xxxx
Ballard, Thomas W., xxx-xx-xxxx
Beato, Ubaldo P., Jr., xxx-xx-xxxx
Chambers, William D., xxx-xx-xxxx
Chaves, Ignacio A., xxx-xx-xxxx
Contiguglia, Joseph J., xxx-xx-xxxx
Covani, Ricardo N., xxx-xx-xxxx
Goodwin, Malcolm N., Jr., xxx-xx-xxxx
Hicks, Terry R., xxx-xx-xxxx
Kunkel, Alan R., xxx-xx-xxxx
Niemtzow, Richard C., xxx-xx-xxxx

DENTAL CORPS

Edgin, Wendell A., xxx-xx-xxxx
Ewig, Jon R., xxx-xx-xxxx
Helbert, Thomas F., xxx-xx-xxxx
McCracken, William D., xxx-xx-xxxx
Schindler, William G., xxx-xx-xxxx

The following persons for appointment as Reserve of the Air Force, in grade indicated, under the provisions of section 593, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated.

MEDICAL CORPS

To be colonel

Massa, Emilio (NMN), xxx-xx-xxxx

To be lieutenant colonel

Aycock, Thomas M., xxx-xx-xxxx
Ballerini, Edward A., xxx-xx-xxxx
Brown, Thomas A., xxx-xx-xxxx
Easton, Allan B., xxx-xx-xxxx
Farrell, Paul W., II, xxx-xx-xxxx
Gahagan, Thomas G., xxx-xx-xxxx
Haffke, Ernest A., xxx-xx-xxxx
Howlett, Nelson E., xxx-xx-xxxx
Larsen, Delbert L., xxx-xx-xxxx
Sabir, Mohammed, xxx-xx-xxxx

Shave, David W., xxx-xx-xxxx
Smith, James A., III, xxx-xx-xxxx
Swedlow, Arnold B., xxx-xx-xxxx
Torman, Ramon D., xxx-xx-xxxx
Vadhansindhu, Permsakdi, xxx-xx-xxxx
Weickgenant, Charles J., Jr., xxx-xx-xxxx

DENTAL CORPS

To be lieutenant colonel

Willmert, Wilbur J., xxx-xx-xxxx
The following person for appointment as Reserve of the Air Force (ANGUS) in the grade indicated, under the provisions of section 593 and 8351, title 10, United States Code, with a view of designation under the provisions of section 8067, title 10.

MEDICAL CORPS

To be lieutenant colonel

Gillespie, James T., Sr., xxx-xx-xxxx
The following officer for promotion in the Air Force Reserve, under the provision of sections 1552 and 8371, title 10, United States Code, non-EAD.

LINE OF THE AIR FORCE

To be colonel

Stephenson, Richard K., xxx-xx-xxxx
The following officer for promotion in the Air Force Reserve, under the provision of section 8376, title 10, United States Code, non-EAD.

MEDICAL CORPS

To be lieutenant colonel

Hubbell, Charles G., xxx-xx-xxxx
The following named officers for permanent promotion in the U.S. Air Force, in accordance with section 601, title VI, Transition Provisions, Defense Officer Personnel Management Act of 1980, with date of rank to be determined by the Secretary of the Air Force.

LINE OF THE AIR FORCE

To be lieutenant colonel

Erwin, Roy W., Jr., xxx-xx-xxxx

To be major

Grove, Richard J., xxx-xx-xxxx

CHAPLAIN CORPS

To be major

Melson, Lance E., Jr., xxx-xx-xxxx
Sherman, Frank W., III, xxx-xx-xxxx

The following named Air Force officer for reappointment to the Active Duty list of the Regular Air Force in the grade indicated under the provisions of sections 1210 and 1211, Title 10, United States Code.

LINE OF THE AIR FORCE

To be major

Bell, Darwin L., xxx-xx-xxxx

IN THE AIR FORCE

The following officer for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with grade and date of rank to be determined by the Secretary of the Air Force.

LINE OF THE AIR FORCE

Arganbright, Michael J., xxx-xx-xxxx

The following officers for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with grades and dates of rank to be determined by the Secretary of the Air Force in accordance with section 533, title 10, United States Code.

CHAPLAIN CORPS

Tibus, Andrew J., xxx-xx-xxxx

BIOMEDICAL SCIENCE CORPS

Jordan, Dick T., Jr., xxx-xx-xxxx

IN THE AIR FORCE

The following named officers for permanent promotion in the U.S. Air Force, under the appropriate provisions of chapter 36, title 10, United States Code, as amended, with dates of rank to be determined by the Secretary of the Air Force.

LINE OF THE AIR FORCE

To be lieutenant colonel

Arganbright, Michael, Jr., xxx-xx-xxxx
Crawford, Donald E., xxx-xx-xxxx
Daigre, Richard G., xxx-xx-xxxx
Duchamp, Eugene A., III, xxx-xx-xxxx
Eychner, George L., xxx-xx-xxxx
Fontaine, Richard M., xxx-xx-xxxx
Garlow, Robert M., xxx-xx-xxxx
Hansen, Jay W., xxx-xx-xxxx
Larkin, Michael E., xxx-xx-xxxx
Mills, Rix M., xxx-xx-xxxx
Ryanczak, Michael P., xxx-xx-xxxx
Stuart, John E., xxx-xx-xxxx
Thompson, Charles A., xxx-xx-xxxx
Worthen, Russell F., xxx-xx-xxxx
Yonke, Gary L., xxx-xx-xxxx

CHAPLAIN

To be major

Tibus, Andrew J., xxx-xx-xxxx

BIOMEDICAL SCIENCE CORPS

Jordan, Dick T., Jr., xxx-xx-xxxx

IN THE AIR FORCE

The following officers for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with grades and dates of rank to be determined by the Secretary of the Air Force.

LINE OF THE AIR FORCE

Amick, Leonard B., Jr., xxx-xx-xxxx
Bailey, William R., xxx-xx-xxxx
Bonen, Carolyn A., xxx-xx-xxxx
Breault, Richard L., xxx-xx-xxxx
Chapel, Jason A., xxx-xx-xxxx
Clearman, Jerry D., xxx-xx-xxxx
Cox, Richard C., Jr., xxx-xx-xxxx
Flynn, Richard W., xxx-xx-xxxx
Hale, Frank J., xxx-xx-xxxx
Hedin, Warren T., xxx-xx-xxxx
Holford, William L., xxx-xx-xxxx
Holliday, Roscoe C., Jr., xxx-xx-xxxx
Joyce, Nathan H., xxx-xx-xxxx
Koeteeuw, Richard I., xxx-xx-xxxx
Lawter, Daniel R., xxx-xx-xxxx
Marks, Ronald J., xxx-xx-xxxx
Mock, Joseph W., xxx-xx-xxxx
Obrien, Thomas A., xxx-xx-xxxx
Rosenberg, Maury, xxx-xx-xxxx
Sanborn, Alden R., Jr., xxx-xx-xxxx
Shapira, Frank N., xxx-xx-xxxx
Smith, Robert N., xxx-xx-xxxx
Vanscoy, Michael R., xxx-xx-xxxx
White, Roy C., xxx-xx-xxxx
Williamson, James M., III, xxx-xx-xxxx
York, Joseph B., xxx-xx-xxxx
Zickler, Malcolm S., xxx-xx-xxxx

The following officers for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with grades and dates of rank to be determined by the Secretary of the Air Force in accordance with section 533, title 10, United States Code.

CHAPLAIN CORPS

Maher, Robert G., xxx-xx-xxxx

JUDGE ADVOCATE CORPS

Hartman, Donald F., Jr., xxx-xx-xxxx
Meek, Philip A., xxx-xx-xxxx

Ohair, Richard F., xxx-xx-xxxx
Pereira, Miguel A., xxx-xx-xxxx

NURSE CORPS

Brothers, Benita, xxx-xx-xxxx
Collier, Lynda R., xxx-xx-xxxx
Gibbs, Aleda J., xxx-xx-xxxx
Gronemeyer, Susan E., xxx-xx-xxxx
Hornbrook, Janice G., xxx-xx-xxxx
Kennedy, Patricia A., xxx-xx-xxxx
McWilliams, Malinda K., xxx-xx-xxxx
Murray, Lois E., xxx-xx-xxxx
OConnell, Catherine M., xxx-xx-xxxx
Ream, Marjorie H., xxx-xx-xxxx
Sanders, Judith A., xxx-xx-xxxx
Westwood, Pamela S., xxx-xx-xxxx
Williams, Donna E., xxx-xx-xxxx
Wonpat, Marilyn A., xxx-xx-xxxx

MEDICAL SERVICE CORPS

Huberty, Frederick T., xxx-xx-xxxx
Kilianek, Robert M., xxx-xx-xxxx
Lindsey, Garold D., xxx-xx-xxxx
Mays, William F., xxx-xx-xxxx
Miller, Jay W., xxx-xx-xxxx
Rushmore, Richard W., xxx-xx-xxxx
Tufte, Ralph W., xxx-xx-xxxx

BIOMEDICAL SCIENCE CORPS

Glisan, Gary L., xxx-xx-xxxx
Stigelman, William H., Jr., xxx-xx-xxxx

IN THE AIR FORCE

The following-named officers for permanent promotion in the U.S. Air Force, under the appropriate provisions of chapter 36, title 10, United States Code, as amended, with dates of rank to be determined by the Secretary of the Air Force.

DENTAL CORPS

To be major

Aichel, Walter A., xxx-xx-xxxx
Allman, James D., xxx-xx-xxxx
Antonetz, John W., xxx-xx-xxxx
Bassett, Gardner G., xxx-xx-xxxx
Blanco, Luis J., xxx-xx-xxxx
Bousquet, Robert, xxx-xx-xxxx
Bowers, Joseph H., xxx-xx-xxxx
Boyers, Henry S., xxx-xx-xxxx
Branting, William S., xxx-xx-xxxx
Bye, Fred L., III, xxx-xx-xxxx
Collins, Anne E. R., xxx-xx-xxxx
Collins, Harvey A., Jr., xxx-xx-xxxx
Collins, Terry E., xxx-xx-xxxx
Cone, Howard F., Jr., xxx-xx-xxxx
Cummings, Donald E., xxx-xx-xxxx
Dan, Edward A., xxx-xx-xxxx
Davis, David E., xxx-xx-xxxx
Degenhardt, Duane A., xxx-xx-xxxx
Delgado, George P., xxx-xx-xxxx
Douglas, George B., xxx-xx-xxxx
Dziejma, Robert P., xxx-xx-xxxx
Ellis, Teje E., xxx-xx-xxxx
Eng, Ronald W., xxx-xx-xxxx
Fancher, James P., xxx-xx-xxxx
Faulkner, Victor M., xxx-xx-xxxx
Giebler, Thomas W., xxx-xx-xxxx
Gillespie, William T., Jr., xxx-xx-xxxx
Gilmore, Jeffrey L., xxx-xx-xxxx
Graham, Garbeth S., xxx-xx-xxxx
Hall, Bruce K., xxx-xx-xxxx
Hall, Gary W., xxx-xx-xxxx
Hanson, Joseph M., xxx-xx-xxxx
Hornbeck, Delvin D., xxx-xx-xxxx
Horvath, Ladd M., xxx-xx-xxxx
Jeka, Richard, xxx-xx-xxxx
Jolin, Timothy M., xxx-xx-xxxx
Karn, Kenneth W., xxx-xx-xxxx
Kelsey, Kenneth L., xxx-xx-xxxx
King, John H., xxx-xx-xxxx
Langsjoen, Erik E., xxx-xx-xxxx
Melling, John, xxx-xx-xxxx
Mitchell, Joseph A., xxx-xx-xxxx
Mitchell, Melvin G., xxx-xx-xxxx
Nelson, Brent E., xxx-xx-xxxx
Pike, Thomas W., xxx-xx-xxxx
Price, Paul M., xxx-xx-xxxx

Robbins, James W., xxx-xx-xxxx
Robinson, Paul M., xxx-xx-xxxx
Russell, David A., xxx-xx-xxxx
Sarlo, Charles A., Jr., xxx-xx-xxxx
Schreiner, James E., xxx-xx-xxxx
Spackman, Gregory K., xxx-xx-xxxx
Spangle, William G., xxx-xx-xxxx
Williams, Raymond, Jr., xxx-xx-xxxx
Wilson, James M., xxx-xx-xxxx

MEDICAL CORPS

Adams, Frank B., xxx-xx-xxxx
Adams, Kynard L., xxx-xx-xxxx
Alamia, Louis J., xxx-xx-xxxx
Albrecht, John E., xxx-xx-xxxx
Aldis, Stephen K., xxx-xx-xxxx
Allende, Guillermo F., xxx-xx-xxxx
Alvarezpont, Antolin J., xxx-xx-xxxx
Anderson, James V., xxx-xx-xxxx
Anderson, Timothy M., xxx-xx-xxxx
Andrada, Nerizza Palos, xxx-xx-xxxx
Andrews, David F., III, xxx-xx-xxxx
Augustine, Loretta D., xxx-xx-xxxx
Baggerly, Gregory C., xxx-xx-xxxx
Banerjee, Manibha, xxx-xx-xxxx
Barron, Freddie T., xxx-xx-xxxx
Bassett, George S., xxx-xx-xxxx
Bayne, Melvin A., xxx-xx-xxxx
Benedict, James P., xxx-xx-xxxx
Bizon, John G., xxx-xx-xxxx
Blair, David P., xxx-xx-xxxx
Blair, Paul A., xxx-xx-xxxx
Bohanon, Kathleen S., xxx-xx-xxxx
Bormann, Brian E., xxx-xx-xxxx
Bourquard, Renee, xxx-xx-xxxx
Bourquard, William S., xxx-xx-xxxx
Breeding, Samuel D., xxx-xx-xxxx
Brinley, Stephen K., xxx-xx-xxxx
Brinson, Robert E., xxx-xx-xxxx
Brown, Joel A., xxx-xx-xxxx
Broxson, Emmett H., Jr., xxx-xx-xxxx
Bryant, Billy J., xxx-xx-xxxx
Bryant, Mary M., xxx-xx-xxxx
Burruss, George L., xxx-xx-xxxx
Burt, Todd B., xxx-xx-xxxx
Cady, Mary I., xxx-xx-xxxx
Capdeville, Anne R., xxx-xx-xxxx
Carlisle, Saune Elisabet C., xxx-xx-xxxx
Carson, Richard C., xxx-xx-xxxx
Carvell, Michael C., xxx-xx-xxxx
Cavett, James R., III, xxx-xx-xxxx
Celentano, Richard D., xxx-xx-xxxx
Celio, Paul V., xxx-xx-xxxx
Chacon, Frank T., xxx-xx-xxxx
Charnock, George A., xxx-xx-xxxx
Chastain, David O., xxx-xx-xxxx
Cheney, Paul R., Jr., xxx-xx-xxxx
Cherer, Allen J., xxx-xx-xxxx
Chong, Kian K., xxx-xx-xxxx
Chow, Norman Y. W., xxx-xx-xxxx
Clark, Craig E., xxx-xx-xxxx
Clark, Douglas P., xxx-xx-xxxx
Clark, William R., xxx-xx-xxxx
Colman, Richard E., xxx-xx-xxxx
Connelly, Daniel P., xxx-xx-xxxx
Conrad, Daniel T., xxx-xx-xxxx
Corsetti, Joseph A., xxx-xx-xxxx
Cowley, Cris G., xxx-xx-xxxx
Dangelo, Philip C., xxx-xx-xxxx
Davis, Gaither G., xxx-xx-xxxx
Deboise, Douglas A., xxx-xx-xxxx
Decker, Richard K., xxx-xx-xxxx
Demille, Valerie C., xxx-xx-xxxx
Desai, Madhukar C., xxx-xx-xxxx
Devaneson, Paul P., xxx-xx-xxxx
Dikio, Nicolas A., xxx-xx-xxxx
Dmytriw, Kevin R., xxx-xx-xxxx
Do Hong, T. N., xxx-xx-xxxx
Dobson, Franklin M., xxx-xx-xxxx
Dodds, Robert A., Jr., xxx-xx-xxxx
Dohn, Henry H., xxx-xx-xxxx
Dornblazer, George H., xxx-xx-xxxx
Dorsner, David E., xxx-xx-xxxx
Dougherty, David S., xxx-xx-xxxx
Dougherty, James J., III, xxx-xx-xxxx

Dronen, Steven C., xxx-xx-xxxx
Duston, Margaret A., xxx-xx-xxxx
Dutton, Roland O., xxx-xx-xxxx
Ellis, Gregory H., xxx-xx-xxxx
Ellis, Mark E., xxx-xx-xxxx
Ettel, George L., Jr., xxx-xx-xxxx
Everson, Freddie L., xxx-xx-xxxx
Falero, Wallace G., xxx-xx-xxxx
Feldmeier, John J., xxx-xx-xxxx
Ferguson, William W., xxx-xx-xxxx
Fernandezmorales, Werner M., xxx-xx-xxxx
Ferrari, Cosimo J., xxx-xx-xxxx
Fields, David A., xxx-xx-xxxx
Fitzgerald, Brenda C., xxx-xx-xxxx
Floyd, John P., III, xxx-xx-xxxx
Foster, James C., xxx-xx-xxxx
Fox, Gary N., xxx-xx-xxxx
Frazier, David J., xxx-xx-xxxx
Garber, Jeffrey G., xxx-xx-xxxx
Gaskin, Hubert S., III, xxx-xx-xxxx
Gerstmann, Dale R., xxx-xx-xxxx
Glenn, Clair J., xxx-xx-xxxx
Goetz, David W., xxx-xx-xxxx
Graham, Gary R., xxx-xx-xxxx
Greene, Uril C., xxx-xx-xxxx
Gregg, Kelly R., xxx-xx-xxxx
Griffin, John J., Jr., xxx-xx-xxxx
Gutierrez, Jose J., xxx-xx-xxxx
Halbert, Dennis H., xxx-xx-xxxx
Harden, William B., xxx-xx-xxxx
Hardy, David C., xxx-xx-xxxx
Harrington, Paul T., xxx-xx-xxxx
Harris, Curtis, Jr., xxx-xx-xxxx
Harvey, James K., xxx-xx-xxxx
Hawkins, Albert W., Jr., xxx-xx-xxxx
Herwig, Steven R., xxx-xx-xxxx
Hohmeister, Jon A., xxx-xx-xxxx
Hopkins, Lawrence D., xxx-xx-xxxx
Horn, Karl L., xxx-xx-xxxx
Horton, Marion, xxx-xx-xxxx
Houck, Philip D., xxx-xx-xxxx
Isaak, Doyle W., xxx-xx-xxxx
Jacobsen, Bruce E., xxx-xx-xxxx
John, Elizabeth M., xxx-xx-xxxx
John, Michael D., xxx-xx-xxxx
Johnson, Barry D., xxx-xx-xxxx
Johnson, Carl A., xxx-xx-xxxx
Johnson, Chris P., xxx-xx-xxxx
Johnson, Jeffrey W., xxx-xx-xxxx
Jones, Gary L., xxx-xx-xxxx
Jones, Randall L., xxx-xx-xxxx
Keegan, James M., xxx-xx-xxxx
Keller, James W., xxx-xx-xxxx
Kessler, John F., xxx-xx-xxxx
Kevalkhan, Aziza W., xxx-xx-xxxx
Kim, Chang D., xxx-xx-xxxx
Kimler, Adrienne E., xxx-xx-xxxx
Kral, Kevin M., xxx-xx-xxxx
Krall, Edward J., xxx-xx-xxxx
Kulkarni, Anuradha V., xxx-xx-xxxx
Landry, Larry J., xxx-xx-xxxx
Larsen, Wayne M., xxx-xx-xxxx
Lazarus, Kenneth H., xxx-xx-xxxx
Lee, Bradford H., xxx-xx-xxxx
Lefkowitz, Todd A., xxx-xx-xxxx
Leonard, Frederick D., xxx-xx-xxxx
Lim, Paul B., xxx-xx-xxxx
Lind, David G., xxx-xx-xxxx
Linn, David K., xxx-xx-xxxx
Lisonbee, John E., xxx-xx-xxxx
Lonchyna, Vassyl A., xxx-xx-xxxx
Lopezvalentin, Pedro H., xxx-xx-xxxx
Lowman, Gerald F., xxx-xx-xxxx
Mabatid, Heidi F., xxx-xx-xxxx
Macey, Theodore I., xxx-xx-xxxx
Malixi, Cynthia B., xxx-xx-xxxx
Mallory, Douglas L., xxx-xx-xxxx
Malseed, Lynn M., xxx-xx-xxxx
Mansoning, Collin J., xxx-xx-xxxx
Marden, Harry E., Jr., xxx-xx-xxxx
Marriott, Rodney G., xxx-xx-xxxx
Martin, Rick W., xxx-xx-xxxx
Masin, Richard R., xxx-xx-xxxx
Mast, Eric L., xxx-xx-xxxx

Matos, Jose G., xxx-xx-xxxx
 McAndrew, John C., III, xxx-xx-xxxx
 McCauley, Richard A., xxx-xx-xxxx
 McCluskey, Patrick L., xxx-xx-xxxx
 McKinley, Lee, xxx-xx-xxxx
 McLeod, Cliphane W., xxx-xx-xxxx
 McWherter, Joseph F., xxx-xx-xxxx
 Mebane, Andrew H., xxx-xx-xxxx
 Meetze, Russell L., xxx-xx-xxxx
 Melvin, Howard D., xxx-xx-xxxx
 Middleton, Henry H., III, xxx-xx-xxxx
 Mihm, Gary J., xxx-xx-xxxx
 Mitchell, Stephen R., xxx-xx-xxxx
 Moore, Gary A., xxx-xx-xxxx
 Morgan, Donald L., xxx-xx-xxxx
 Morgan, Herman G., Jr., xxx-xx-xxxx
 Morgan, Sidney J., Jr., xxx-xx-xxxx
 Morrow, Thomas J., xxx-xx-xxxx
 Morse, Michael W., xxx-xx-xxxx
 Murray, Patrick E., xxx-xx-xxxx
 Neis, Miles D., xxx-xx-xxxx
 Nenoff, Richard S., xxx-xx-xxxx
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The following-named officers for permanent promotion in the U.S. Air Force, under the appropriate provisions of chapter 36, title 10, United States Code, as amended, with dates of rank to be determined by the Secretary of the Air Force.

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 Wakerley, William N., xxx-xx-xxxx
 Walden, Stephen C., xxx-xx-xxxx
 Walker, Cole E., xxx-xx-xxxx
 Walker, Douglas M., xxx-xx-xxxx
 Walker, Eddie, xxx-xx-xxxx
 Walker, Francis E., Jr., xxx-xx-xxxx
 Walker, John A., xxx-xx-xxxx
 Walker, Roger E., Jr., xxx-xx-xxxx
 Walkey, Theodore J., xxx-xx-xxxx
 Wall, Kenneth L., xxx-xx-xxxx
 Wall, Richard J., xxx-xx-xxxx
 Wallace, James R., Jr., xxx-xx-xxxx
 Walsh, Peter, xxx-xx-xxxx
 Walston, Steven W., xxx-xx-xxxx
 Walters, David R., xxx-xx-xxxx
 Walters, James M., Jr., xxx-xx-xxxx
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 Walz, Leslie T., xxx-xx-xxxx
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 Wansack, James K., xxx-xx-xxxx
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 Weeks, Rodney O., xxx-xx-xxxx
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 White, Harry A., III, xxx-xx-xxxx
 White, Homer E., Jr., xxx-xx-xxxx
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White, Neil R., xxx-xx-xxxx
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 Whitesell, Donald E., xxx-xx-xxxx
 Whitley, Alton C., Jr., xxx-xx-xxxx
 Whitley, Willard H., xxx-xx-xxxx
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 Wieland, Gerald A., xxx-xx-xxxx
 Wieneke, Charles H., xxx-xx-xxxx
 Wieters Walter D., Jr., xxx-xx-xxxx
 Wightman, Dennis J., xxx-xx-xxxx
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 Wilbanks, Ronald T., xxx-xx-xxxx
 Wilder, Jimmy R., xxx-xx-xxxx
 Wilferth, John C., xxx-xx-xxxx
 Wilinski, Gregory T., xxx-xx-xxxx
 Willey, Mark D., xxx-xx-xxxx
 Williams, Charles A., xxx-xx-xxxx
 Williams, Edward L., Jr., xxx-xx-xxxx
 Williams, Frederick M., xxx-xx-xxxx
 Williams, George K., xxx-xx-xxxx
 Williams, George M., Jr., xxx-xx-xxxx
 Williams, Hamilton, Jr., xxx-xx-xxxx
 Williams, James T., xxx-xx-xxxx
 Williams, John B., xxx-xx-xxxx
 Williams, Philip, xxx-xx-xxxx
 Williams, Victor M., Jr., xxx-xx-xxxx
 Williamson, David R., xxx-xx-xxxx
 Williamson, James M., III, xxx-xx-xxxx
 Williamson, Richard J., xxx-xx-xxxx
 Willie, Winford, xxx-xx-xxxx
 Willis, Richard K., xxx-xx-xxxx
 Willoz, John L., xxx-xx-xxxx
 Wills Charles F., xxx-xx-xxxx
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 Wilson, Francis M., xxx-xx-xxxx
 Wilson, Jared B., xxx-xx-xxxx
 Wilson, Leon A., Jr., xxx-xx-xxxx
 Wilson, Robert D., xxx-xx-xxxx
 Wilson, Robert M., xxx-xx-xxxx
 Wilson, Stephen E., xxx-xx-xxxx
 Wilson, Woodrow, Jr., xxx-xx-xxxx
 Wilson, Worrall V., xxx-xx-xxxx
 Wilusz, Stanley F., xxx-xx-xxxx
 Winkelmann, James D., xxx-xx-xxxx
 Winkler, Frank E., xxx-xx-xxxx
 Winkler, George A., xxx-xx-xxxx
 Winkler, Paul H., xxx-xx-xxxx
 Winn, James S., xxx-xx-xxxx
 Winnik, Laurence N., xxx-xx-xxxx
 Winsor, Harry V., xxx-xx-xxxx
 Winstel, Mark A., xxx-xx-xxxx
 Wise, Keith R., xxx-xx-xxxx
 Wise, William M., III, xxx-xx-xxxx
 Wisecarver, Kurt J., xxx-xx-xxxx
 Wiseman, Jerry A., xxx-xx-xxxx
 Witherspoon, Gary H., xxx-xx-xxxx
 Wittel, Edward F., Jr., xxx-xx-xxxx
 Woelfel, John G., xxx-xx-xxxx
 Wohlwend, James P., xxx-xx-xxxx
 Wollaston, John F., xxx-xx-xxxx
 Wood, Frederick W., II, xxx-xx-xxxx
 Wood, James G., Jr., xxx-xx-xxxx
 Wood, Larry R., xxx-xx-xxxx
 Woodall, James D., xxx-xx-xxxx
 Wooddell, Royce G. W., xxx-xx-xxxx
 Woods, Jerry D., xxx-xx-xxxx
 Woods, Lee M., xxx-xx-xxxx
 Woody, William E., xxx-xx-xxxx
 Worrell, Kenneth E., xxx-xx-xxxx
 Worthington, Jesse C., xxx-xx-xxxx
 Wright, George K., xxx-xx-xxxx
 Wright, John A., xxx-xx-xxxx
 Wright, Terry C., xxx-xx-xxxx
 Wright, Wayne H., xxx-xx-xxxx
 Wyatt, John H., xxx-xx-xxxx
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 Yeager, John G., xxx-xx-xxxx
 York, David A., xxx-xx-xxxx
 York, John E., xxx-xx-xxxx
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 Young, Alvin L., xxx-xx-xxxx
 Young, Clark S., Jr., xxx-xx-xxxx
 Young, Lee R., Jr., xxx-xx-xxxx
 Young, Lloyd B., xxx-xx-xxxx
 Young, Myron A., xxx-xx-xxxx
 Young, Richard A., xxx-xx-xxxx
 Young, Robert A., Jr., xxx-xx-xxxx
 Zak, Francis X., xxx-xx-xxxx
 Zalace, Stanley W., xxx-xx-xxxx
 Zawila, John S., xxx-xx-xxxx
 Zbelean, John P., III, xxx-xx-xxxx
 Zehr, Frederick J., Jr., xxx-xx-xxxx
 Zelenski, Stanley S., xxx-xx-xxxx
 Zens, Michael L., xxx-xx-xxxx
 Zesinger, George R., III, xxx-xx-xxxx
 Zettler, Michael E., xxx-xx-xxxx
 Zickler, Malcolm S., xxx-xx-xxxx
 Ziegenhorn, Clyde E., Jr., xxx-xx-xxxx
 Ziegler, Kenton R., xxx-xx-xxxx
 Ziegler, Michael, xxx-xx-xxxx
 Zimmerman, Eric A., xxx-xx-xxxx
 Zimmermann, Raymond C., xxx-xx-xxxx
 Zinkievich, John M., xxx-xx-xxxx
 Zinkus, John C., xxx-xx-xxxx
 Zinsser, Harry F., Jr., xxx-xx-xxxx
 Zorich, David R., xxx-xx-xxxx
 Zwieg, Richard D., xxx-xx-xxxx
 Zwirnbaum, Rickey D., xxx-xx-xxxx

CHAPLAIN CORPS

Cathy, Richard J., xxx-xx-xxxx
 Dendinger, William J., xxx-xx-xxxx
 Dickey, Richard J., xxx-xx-xxxx
 Koah, Timothy A., xxx-xx-xxxx
 Lipscomb, William W., xxx-xx-xxxx
 Maher, Robert G., xxx-xx-xxxx
 McCulloh, Ralph E., xxx-xx-xxxx
 Pelesh, Gregory H., xxx-xx-xxxx
 Swanson, Richard A., xxx-xx-xxxx

JUDGE ADVOCATE

Babin, James C., xxx-xx-xxxx
 Black, Paul L., xxx-xx-xxxx
 Bonasso, Robert A., xxx-xx-xxxx
 Brewer, Lewis G., xxx-xx-xxxx
 Bruinooge, Jon P., xxx-xx-xxxx
 Carlson, Roger T., xxx-xx-xxxx
 Caven, James D., xxx-xx-xxxx
 Cerha, Robert G., xxx-xx-xxxx
 Dekat, Kenneth A., xxx-xx-xxxx
 Denton, William J., xxx-xx-xxxx
 Dugan, William R., Jr., xxx-xx-xxxx
 Duncan, John C., Jr., xxx-xx-xxxx
 Erickson, Richard J., xxx-xx-xxxx
 Ernst, Alan C., xxx-xx-xxxx
 Hartman Donal F., Jr., xxx-xx-xxxx
 Heupel, James E., xxx-xx-xxxx
 Jaynes, Barry S., xxx-xx-xxxx
 Jones, William C., xxx-xx-xxxx
 Lang, Robert E., xxx-xx-xxxx
 Mangin, Charles G., xxx-xx-xxxx
 Marshall, Richard H. L., xxx-xx-xxxx
 Massey, Harmon O., Jr., xxx-xx-xxxx
 Meek, Philip A., xxx-xx-xxxx
 Mitchell, Louis J., xxx-xx-xxxx
 Moore, Dwight A., xxx-xx-xxxx
 Nolte, Donald A., xxx-xx-xxxx
 O'Hair, Richard F., xxx-xx-xxxx
 Pereira, Miguel A., xxx-xx-xxxx
 Petersen, James O., xxx-xx-xxxx
 Reed, Robert E., xxx-xx-xxxx
 Sasz, William L., xxx-xx-xxxx
 Senander, Robert M., xxx-xx-xxxx
 Tison, John L., III, xxx-xx-xxxx

NURSE CORPS

Abbott, Henry M., xxx-xx-xxxx
 Adams, Janet Sue, xxx-xx-xxxx
 Armstrong, Frances P., xxx-xx-xxxx

Brennan, Patricia A., xxx-xx-xxxx
 Brothers, Benita, xxx-xx-xxxx
 Chandler, Merry J., xxx-xx-xxxx
 Collier, Lynda R., xxx-xx-xxxx
 Dinsmore, Carole A., xxx-xx-xxxx
 Gans, Genevieve A., xxx-xx-xxxx
 Gardon, Kathleen M., xxx-xx-xxxx
 Gibbs, Aleda J., xxx-xx-xxxx
 Greer, Sara E., xxx-xx-xxxx
 Gronemeyer, Susan E., xxx-xx-xxxx
 Hinze, Elizabeth A., xxx-xx-xxxx
 Hite, Patricia O., xxx-xx-xxxx
 Hornbrook, Janice G., xxx-xx-xxxx
 Hoyt, Judith M., xxx-xx-xxxx
 Huber, Priscilla J., xxx-xx-xxxx
 Hunt, Judith L., xxx-xx-xxxx
 Jones, Ralph W., xxx-xx-xxxx
 Keatley, Wynona B., xxx-xx-xxxx
 Kennedy, Patricia A., xxx-xx-xxxx
 Kloeber, Joyce A., xxx-xx-xxxx
 Link, Vincent H., xxx-xx-xxxx
 Littlejohn, Mary K., xxx-xx-xxxx
 Lueschow, Lana K., xxx-xx-xxxx
 McWilliams, Malinda K., xxx-xx-xxxx
 Murray, Lois E., xxx-xx-xxxx
 O'Connell, Catherine M., xxx-xx-xxxx
 Ogden, Lynn H., xxx-xx-xxxx
 Phillips, Harriett A., xxx-xx-xxxx
 Ream, Marjorie H., xxx-xx-xxxx
 Sanders, Judith A., xxx-xx-xxxx
 Shimko, Rose M., xxx-xx-xxxx
 Stone, Jeanne N., xxx-xx-xxxx
 Stubblefield, Virginia M., xxx-xx-xxxx
 Tadano, Margaret C., xxx-xx-xxxx
 Taylor, Louetta B., xxx-xx-xxxx
 Walker, Jack R., xxx-xx-xxxx
 Westwood, Pamela S., xxx-xx-xxxx
 White, Cheryl A., xxx-xx-xxxx
 Williams, Donna E., xxx-xx-xxxx
 Wonpat, Marilyn A., xxx-xx-xxxx

MEDICAL SERVICE CORPS

Casto, Graden J., xxx-xx-xxxx
 Cunningham, Terence T., III, xxx-xx-xxxx
 Erwin, James L., xxx-xx-xxxx
 Hardy, Charles R., xxx-xx-xxxx
 Harrison, James T., xxx-xx-xxxx
 Huberty, Frederick T., xxx-xx-xxxx
 Huggins, William C., xxx-xx-xxxx
 Kilianek, Robert M., xxx-xx-xxxx
 Lembke, Russell W., xxx-xx-xxxx
 Leslie, James D., III, xxx-xx-xxxx
 Lindsey, Garold D., xxx-xx-xxxx
 Lott, Larry K., xxx-xx-xxxx
 Mackie, Kenneth J. Jr., xxx-xx-xxxx
 Mays, William F., xxx-xx-xxxx
 McGough, Richard G., xxx-xx-xxxx
 Miller, Jay W., xxx-xx-xxxx
 Murrell, Warren P., Jr., xxx-xx-xxxx
 Powell, George R., xxx-xx-xxxx
 Rushmore, Richard W., xxx-xx-xxxx
 Sorrells, John S., xxx-xx-xxxx
 Tufte, Ralph W., xxx-xx-xxxx
 Vignes, Bert L., xxx-xx-xxxx
 Vocks, Joseph T., Sr., xxx-xx-xxxx
 Willauer, Glenn R., xxx-xx-xxxx

BIOMEDICAL SCIENCES CORPS

Brock, Samuel L., xxx-xx-xxxx
 Brockett, Royce M., III, xxx-xx-xxxx
 Buth, Jonathan A., xxx-xx-xxxx
 Capell, Robert A., xxx-xx-xxxx
 Castiglione, Robert F., xxx-xx-xxxx
 Coburn, Middleton J., xxx-xx-xxxx
 Flory, William A., xxx-xx-xxxx
 Glisan, Gary L., xxx-xx-xxxx
 Gold, Dennis N., xxx-xx-xxxx
 Grube, Steven G., xxx-xx-xxxx
 Hablitzel, Thomas L., xxx-xx-xxxx
 Harris, Ronald J., xxx-xx-xxxx
 Herbold, John R., xxx-xx-xxxx
 Hughes, Richard L., xxx-xx-xxxx
 Hull, Warren R., xxx-xx-xxxx
 Hundley, Kenneth E., xxx-xx-xxxx
 Jernigan, Mary Ann, xxx-xx-xxxx

Keller, James L., xxx-xx-xxxx
 Kiffer, James J., xxx-xx-xxxx
 Kobernus, Carroll A., xxx-xx-xxxx
 Larison, James R., xxx-xx-xxxx
 Lecain, William K., xxx-xx-xxxx
 Letscher, Robert M., xxx-xx-xxxx
 Lynett, James E., xxx-xx-xxxx
 Miner, Judson C., Jr., xxx-xx-xxxx
 Rice, Robert M., xxx-xx-xxxx
 Ross, Jerry W., xxx-xx-xxxx
 Schiller, Ronald L., xxx-xx-xxxx
 Shingler, Larry H., xxx-xx-xxxx
 Somers, Rick A., xxx-xx-xxxx
 Stigelman, William H., Jr., xxx-xx-xxxx
 Stokes, Mark H., xxx-xx-xxxx
 Sweeney, Stephen J., xxx-xx-xxxx
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 Vanek, Kenneth N., xxx-xx-xxxx
 Washeleski, Michael C., xxx-xx-xxxx
 Wells, Robert L., xxx-xx-xxxx
 Wilson, James L., xxx-xx-xxxx
 Wright, James H., xxx-xx-xxxx

IN THE NAVY

The following-named chief warrant officers of the U.S. Navy for permanent promotion to the grades of chief warrant officer, W-3, and chief warrant officer, W-4, pursuant to title 10, United States Code, section 555, subject to qualifications therefor as provided by law:

PERMANENT PROMOTION

Chief warrant officer, W-3

Anderson, Milburn M.
 Arthur, Joseph Henry
 Barrow, Maxie Robert
 Bartleman, James P.
 Beaver, Steven Donald
 Benneth, Donald Spencer
 Birr, Donald K.
 Boyce, Richard A.
 Breunig, John Vernon
 Brinley, Laird Eugene
 Butler, Louis E.
 Candanoza, Jose R.
 Caponis, John Alvin
 Chambers, James D.
 Clements, Jerry Eugene
 Colon, Pedro Antonio
 Crawford, Frank Louis, Jr.
 Crossman, David Charles
 Crouch, Thomas H.
 Cruz, Adelbert, Jr.
 Cullinson, Richard C.
 Darling, Peter Lloyd
 Davis, Dave Wesley
 Dean, Theodore P.
 Doss, Larry Wayne
 Ellsworth, Richard H.
 Exum, Wallace L.
 Goldin, Milton, Jr.
 Gore, William Larry
 Greer, Bernard
 Grosz, Gary D.
 Hardy, Michael Charles
 Harritt, John Douglas
 Hernandez, Steve Jose
 Hickson, Dewey W.
 Houston, Grady
 Hudgen, Earther Lee
 Hunt, John H., Jr.
 Jordan, Austin Thomas
 Kelley, Steven James
 Kennedy, James Victor
 Kenney, William Peter
 Kreis, Jack A.
 Lightfoot, Bernard, Sr.
 Lohafer, Carl Wendell
 Loomis, Donna M.
 Malone, Lawrence P.
 Maples, Gene D.
 Mara, George
 Martin, John Kenneth
 McGrath, Michael Stephen

McKillips, Lester T.
 McKinney, Frank Alexander, II
 McMillan, Charles Louis
 Monroe, Gregory Eugene
 Moore, Robert C.
 Morris, Charles J.
 Moultrie, Freddie, Jr.
 Moyer, John W.
 Mueller, John H.
 Norton, James L.
 Ogden, Charles T.
 O'Leary, John Thomas
 Overton, Robert W., Jr.
 Perry, Harry M.
 Philbrook, Keith Allan
 Reeves, Richard Dale
 Reiter, Michael Leroy
 Ritchie, Donald Dewey
 Roby, David A.
 Rodriguez, Jose Pascual
 Rossi, Michael A.
 Sisemore, Marion R.
 Skiba, Edward J.
 Slade, George W.
 Smith, Carl H.
 Snook, Maximillion Richard
 Spillers, Jerry W.
 Syrovatka, Vladimir
 Thomas, David
 Thompson, Robert V.
 Webb, Alvin Conrad
 White, William Raymond
 Whiting, Daniel E.
 Wild, Lawrence A.
 Williams, Samuel S.
 Witkowski, John Anthony
 Wood, David Lee
 Woodward, Curtis B.
 Young, John W.
 Youngblood, Adrian C.

PERMANENT PROMOTION

Chief warrant officer, W-4

Arnold, Earl Delbert
 Arsta, Charlie Lee
 Bartyzal, Edward Thomas
 Bertrand, Richard Earl
 Bisette, Joseph Earl
 Blackie, John Allison
 Brown, Harold Miles
 Burbach, Donald Edward
 Burris, William Oscar
 Cart, Harold Edward
 Castellano, Paul Michael
 Christian, Jerry Delano
 Crawford, Charles Henry
 Culbertson, Arthur Lee
 Curry, Raymond Michael
 Dills, William Jay
 Dufford, Robert Howard
 Duryea, George Warner
 Eastlick, Arthur Lee
 Farwell, Gary Lee
 Fenton, Don Joseph
 Flinner, William Wade
 Foreback, Richard Fay
 Forsmark, William Thomas
 Fuller, William James
 Goins, Donald Ross
 Grampp, Gordon David
 Gustafson, Orville L.
 Halpin, Thomas Francis
 Hess, Harvey L.
 Hickey, Edmund Burke
 Houston, Cornell
 Howard, Bobby Joe
 Howard, William Joseph
 Huffman, Frank Alfred
 Hunt, Alan Arthur
 James, Robert Owen
 Katschke, William Roy
 Kennedy, Charley Houston
 King, James Francis
 Kostich, Michael Edward
 Krug, Norman Edward

Lessard, Kenneth Alfred
 Love, Charles E.
 Marttila, Elmer Edwin
 McGinnis, Daniel Clyde
 Mitzel, John T.
 Moody, Paul L.
 Morrow, Robert Eugene
 Neidlinger, Gary John
 Nolan, Carl William
 Overall, Gerald W.
 Perez, Roy
 Pierce, John Williamson, Jr.
 Powers, John P., Jr.
 Proctor, Robert Eugene
 Rabold, Frank L.
 Reagle, Robert M.
 Reynolds, Lyndel Leon
 Riddlebarger, Devereaux P.
 Robertson, Thomas Arden
 Schaefer, Andrew Charles
 Schleichert, Kurt Michael
 Shriver, John Morgan
 Sidner, William Howard, Jr.
 Stikeleather, Thomas Garner
 Thiebaud, Robert Ray
 Thomas, Richard Alvah
 Touchon, Andrew
 Turner, Howard W.
 Vancleave, Jerry Maddux
 Vanvleet, Barry Lea
 Westhoff, Dennis Anthony
 Wharton, Charles Eddy
 Willson, Herman Theodore, Jr.
 Wright, Randolph William

IN THE NAVY

The following-named temporary commanders of the U.S. Naval Reserve for permanent promotion to the grade of commander, staff corps, as indicated, subject to qualifications therefor as provided by law:

MEDICAL CORPS

Royer, James O.
 Rayl, David L.

The following-named temporary lieutenant commanders of the U.S. Navy and Naval Reserve for permanent promotion to the grade of lieutenant commander in the line, as indicated, subject to qualifications therefor as provided by law:

LINE

Agin, Ronald W.	Lustman, Ronald R.
Benefield, Robert B.	Meeker, Riley M., II.
Blackwood, Riddick L.	Monkhouse, Michael W.
Booth, Robert T.	Moore, Lawrence E.
Bunn, Bennie G., III.	Moses, William J. C.
Conkey, John A.	Oleson, Gary Y.
Coppotelli, Lawrence.	Parish, Robert B.
Chesire, John R.	Regan, Joseph M.
Degruipe, Jerome J.	Rhodes, Benjamin C.
Dickson, John E.	Schrade, Lawrence L.
Donnalley, Kenneth G.	Simpson, Terry L.
Edwards, Scott W.	Smith, Roy M.
Fair, Jeffrey W.	Spencer, Robert T.
Graeber, Grant L.	Stanfield, David M.
Gray, Clarence, Jr.	Strong, James M.
Jarvis, David S.	Thomas, Robert J., Jr.
Johnson, Charles C.	Truog, Bruce E.
Jones, Thomas L.	Vansickle, James D.
Lillard, William A., III.	Ward, Robert D.
Lindo, Clark H.	White, Oakley F.

IN THE MARINE CORPS

The following-named officers of the Marine Corps Reserve for transfer into the Regular Marine Corps under the provisions of title 10 United States Code, sections 531 and 555.

Colonel

Brooks, William J., xxx-xx-xxxx
 Upschulte, Phillip P., xxx-xx-xxxx

Lieutenant Colonel

Atkins, Hugh S., xxx-xx-xxxx
 Barnes, William G., Jr., xxx-xx-xxxx
 Kaugher, Thomas W., Jr., xxx-xx-xxxx
 Lucas, Matthew W., xxx-xx-xxxx
 Scenna, Antonio, xxx-xx-xxxx

Major

Beasock, Kenneth U., xxx-xx-xxxx
 Braddock, Albert M., xxx-xx-xxxx
 Comstock, Larry A., xxx-xx-xxxx
 Guerrero, Gregorio S., xxx-xx-xxxx
 Hayden, Henry T., xxx-xx-xxxx
 Keller, William H., III, xxx-xx-xxxx
 Lewis, Richard L., Jr., xxx-xx-xxxx
 McClain, Kenneth M., xxx-xx-xxxx
 McMullen, William C., III, xxx-xx-xxxx
 Nelson, Robert C., II, xxx-xx-xxxx
 Nownes, Bernard J., xxx-xx-xxxx
 Prendergast, Walter N., xxx-xx-xxxx
 Schroeder, Raymond K., Jr., xxx-xx-xxxx
 Banner, Gerald A., xxx-xx-xxxx
 Beames, Paul A., xxx-xx-xxxx
 Bonnett, Edwin C., xxx-xx-xxxx
 Brown, George M., xxx-xx-xxxx
 Cavazos, Ezequiel, Jr., xxx-xx-xxxx
 Costello, Joseph E., xxx-xx-xxxx
 Craighead, Russell, xxx-xx-xxxx
 Denley, William P., xxx-xx-xxxx
 Dick, Marvin D., xxx-xx-xxxx
 Egigian, Donald D., xxx-xx-xxxx
 Elder, Eddie R., xxx-xx-xxxx
 Eldred, Patrick M., xxx-xx-xxxx
 England, John A., xxx-xx-xxxx
 Eversole, Michael K., xxx-xx-xxxx
 Fromularo, John D., xxx-xx-xxxx
 Gasner, Michael W., xxx-xx-xxxx
 Gifford, Alexander G., Jr., xxx-xx-xxxx
 Hareland, Jack L., xxx-xx-xxxx
 Hill, John T., xxx-xx-xxxx
 Hindenburg, Charles E., xxx-xx-xxxx
 Kelish, Ricki A., xxx-xx-xxxx
 Kelly, Michael V., xxx-xx-xxxx
 Kreitzburg, John M., Jr., xxx-xx-xxxx
 Krejmas, Joseph J., Jr., xxx-xx-xxxx
 Lillibridge, William G., xxx-xx-xxxx
 Looney, Russell C., xxx-xx-xxxx
 Magner, John P., xxx-xx-xxxx
 Marsh, Jeffrey H., xxx-xx-xxxx
 McCord, Jimmy D., xxx-xx-xxxx
 McLeish, David E., xxx-xx-xxxx
 Messere, Thomas D., xxx-xx-xxxx
 Meyers, Craig F., xxx-xx-xxxx
 Mills, John E., xxx-xx-xxxx
 Mitchell, Mark R., xxx-xx-xxxx
 Morrison, Craig O., xxx-xx-xxxx
 Murphy, Alan S., xxx-xx-xxxx
 Musgrove, Marcus R., xxx-xx-xxxx
 Newton, Michael R., xxx-xx-xxxx
 O'Mahoney, Michael J., xxx-xx-xxxx
 Palmer, Roy H., Jr., xxx-xx-xxxx
 Pattison, Craig W., xxx-xx-xxxx
 Pennington, Ross D., xxx-xx-xxxx
 Picciotti, Ronald E., xxx-xx-xxxx
 Quilty, Gregory J., xxx-xx-xxxx
 Rayfield, Robert S., Jr., xxx-xx-xxxx
 Robinson, Kit C., xxx-xx-xxxx
 Rush, James M., xxx-xx-xxxx
 Sheppard, Katharine R., xxx-xx-xxxx
 Shogren, Scott F., xxx-xx-xxxx
 Sirmons, Ronald B., xxx-xx-xxxx
 Smith, Charles F., xxx-xx-xxxx
 Smith, David L., xxx-xx-xxxx
 Smith, James A., Jr., xxx-xx-xxxx
 Sobyra, Michael R., xxx-xx-xxxx
 Spargo, Paul L., Jr., xxx-xx-xxxx
 Sweigart, Michael J., xxx-xx-xxxx
 Torielli, John T., III, xxx-xx-xxxx
 Troyke, John R., xxx-xx-xxxx
 Underwood, Larry M., xxx-xx-xxxx
 Waggett, Donald L., Jr., xxx-xx-xxxx
 Walker, James C., xxx-xx-xxxx
 Watson, Kenneth C., xxx-xx-xxxx

Way, Bruce L., xxx-xx-xxxx
 Wellman, John E., Jr., xxx-xx-xxxx
 White, Richard L., xxx-xx-xxxx
 Wright, James W., xxx-xx-xxxx

Lieutenant

Addisson, Robert M., xxx-xx-xxxx
 Ahles, Timothy C., xxx-xx-xxxx
 Aiken, Michael S., xxx-xx-xxxx
 Akers, Gregory S., xxx-xx-xxxx
 Anderson, Robert H., xxx-xx-xxxx
 Andrews, Kyle J., xxx-xx-xxxx
 Armel, Lyle O., III, xxx-xx-xxxx
 Bade, William C., xxx-xx-xxxx
 Baeza, Jose L., xxx-xx-xxxx
 Baker, Christophe B., xxx-xx-xxxx
 Barlow, Rodolfo J., xxx-xx-xxxx
 Barrera, John T., xxx-xx-xxxx
 Barton, Thomas G., xxx-xx-xxxx
 Bates, Gregory D., xxx-xx-xxxx
 Beauchamp, Robert K., xxx-xx-xxxx
 Beck, Ronald J., xxx-xx-xxxx
 Bell, Gary W., xxx-xx-xxxx
 Berger, Glen W., xxx-xx-xxxx
 Bielich, Steven N., xxx-xx-xxxx
 Bohnenkamp, Scott F., xxx-xx-xxxx
 Bonem, Michael S., xxx-xx-xxxx
 Booker, Philip J., xxx-xx-xxxx
 Boone, Stephen M., xxx-xx-xxxx
 Bowers, Toni G., xxx-xx-xxxx
 Boyd, William J., xxx-xx-xxxx
 Boyle, Gregory A., xxx-xx-xxxx
 Brabant, Darlene A., xxx-xx-xxxx
 Branscum, William G., xxx-xx-xxxx
 Brilakis, Mark A., xxx-xx-xxxx
 Brown, Robert C., xxx-xx-xxxx
 Buckner, Charles A., xxx-xx-xxxx
 Burchell, Bernard T., Jr., xxx-xx-xxxx
 Burke, Paul V., xxx-xx-xxxx
 Burnett, Robert M., xxx-xx-xxxx
 Burns, Arthur J., Jr., xxx-xx-xxxx
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IN THE AIR FORCE

Lt. Gen. James H. Ahmann, U.S. Air Force, age 51, for appointment to the grade of lieutenant general on the retired list pursuant to the provisions of title 10, United States Code, section 1370.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, September 28, 1982, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 29

9:00 a.m.

Labor and Human Resources

To hold joint hearings with the House Subcommittee on Science, Research, and Technology of the Committee on Science and Technology to review the Office of Technology Assessment's report "Technology and Handicapped People."

2318 Rayburn Building

Rules and Administration

Business meeting, to consider pending legislative and administrative business.

S-205, Capitol

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings on S. 1626, to reform and improve the regulation of oil pipelines.

235 Russell Building

Select on Indian Affairs

Business meeting, to mark up S. 2623, authorizing funds for fiscal years 1985, 1986, and 1987 for the tribally controlled community college program.

4200 Dirksen Building

10:00 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings on the nominations of Fowler C. West, of Texas, to be Commissioner of the Commodity Futures Trading Commission, and Orville G. Bentley, of Illinois, to be Assistant Secretary of Agriculture for Science and Education.

324 Russell Building

Energy and Natural Resources

Business meeting, to consider pending calendar business.

3110 Dirksen Building

Finance

To continue hearings on proposals providing for a flat-rate income tax, and a simplified income tax with lower rates and fewer exemptions from the general rate.

2221 Dirksen Building

Foreign Relations

To hold hearings to review U.S. nuclear nonproliferation policy.

4221 Dirksen Building

Governmental Affairs

Permanent Subcommittee on Investigations

To continue hearings to investigate alleged involvement of organized crime and mismanagement of funds in the hotel and restaurant workers union (HEREIU), focusing on Local 28, Oakland, Calif., Local 19, San Jose, Calif., Local 86, Reno, Nev., and Local 30, San Diego, Calif.

3302 Dirksen Building

Judiciary

To resume hearings on S. 2784 and S. 2821, bills clarifying the intent of anti-trust laws relating to the relocation of member clubs of professional sports leagues.

2228 Dirksen Building

Select on Intelligence

To hold hearings on Soviet succession.

6226 Dirksen Building

1:30 p.m.

Finance

International Trade Subcommittee

To hold hearings on S. 2770 and S. 2771, bills imposing certain restrictions on the importation of specialty steel products.

2221 Dirksen Building

2:00 p.m.

Judiciary

To hold hearings on pending nominations.

2228 Dirksen Building

Conferees

On S. 2457, providing for an increase in the funding level for the Federal payment to the government of the District of Columbia.

S-205, Capitol

SEPTEMBER 30

9:00 a.m.

Armed Services

Tactical Warfare Subcommittee

To hold hearings on military flight simulators.

212 Russell Building

9:30 a.m.

Commerce, Science, and Transportation

To resume hearings on a proposal extending free speech and press protection to the electronic communications industry.

235 Russell Building

Foreign Relations

East Asian and Pacific Affairs Subcommittee

Closed briefing on the status of the Taiwan arms sale.

4219 Dirksen Building

10:00 a.m.

Agriculture, Nutrition, and Forestry

Forestry, Water Resources, and Environment Subcommittee

To hold hearings on the extent of marihuana cultivation on certain U.S. Forest Service lands.

324 Russell Building

Finance

To continue hearings on proposals providing for a flat-rate income tax, and a simplified income tax with lower rates and fewer exemptions from the general rate.

2221 Dirksen Building

Governmental Affairs

To hold oversight hearings on certain activities of the General Services Administration.

3110 Dirksen Building

Governmental Affairs

Permanent Subcommittee on Investigations

To continue hearings to investigate alleged involvement of organized crime and mismanagement of funds in the hotel and restaurant workers union (HEREIU), focusing on Local 28, Oakland, Calif., Local 19, San Jose, Calif., Local 86, Reno, Nev., and Local 30, San Diego, Calif.

3302 Dirksen Building

Judiciary

Agency Administration Subcommittee

To hold oversight hearings on the indemnification of and contributions to Government contractors.

2228 Dirksen Building

Judiciary

Juvenile Justice Subcommittee

To hold hearings on proposed assistance to State and local law enforcements to reduce criminal case backlogs.

5110 Dirksen Building

Labor and Human Resources

Education, Arts, and Humanities Subcommittee

To hold hearings on S. 2655, providing an alternative source of financial assistance for social security student benefit recipients.

4232 Dirksen Building

Joint Economic

International Trade, Finance, and Security Economics Subcommittee

To hold hearings on the role of the venture capital industry in the American economy.

2212 Rayburn Building

1:30 p.m.

Judiciary

Immigration and Refugee Policy Subcommittee

To hold hearings on Presidential immigration emergency powers.

2228 Dirksen Building

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

25286

3:15 p.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To hold hearings on refugee consultation.

2228 Dirksen Building

4:00 p.m.
Foreign Relations
To meet in closed session to consult with officials on the export of Helium-3 (dual-use nuclear export) to South Africa.

S-116, Capitol

OCTOBER 1

9:30 a.m.
Judiciary
To hold hearings on S. 2044, to revise and clarify the "work made for hire" provision of the copyright law, to exclude from its coverage a work composed as (1) a contribution to a collective work; (2) a part of a motion pic-

EXTENSIONS OF REMARKS

ture or other audiovisual work; and (3) an instructional text.

2228 Dirksen Building

OCTOBER 5

10:00 a.m.
Finance
Energy and Agricultural Taxation Subcommittee
To hold hearings on S. 1911 and S. 2642, bills providing for the establishment of reserves for mining land reclamation.

2221 Dirksen Building

OCTOBER 6

10:00 a.m.
Judiciary
Agency Administration Subcommittee
To hold oversight hearings on the accessibility of the judicial system.

2228 Dirksen Building

September 27, 1982

OCTOBER 7

10:00 a.m.
Foreign Relations
To hold closed hearings on U.S. strategic doctrine.

S-116, Capitol

CANCELLATIONS

SEPTEMBER 29

10:30 a.m.
Governmental Affairs
Federal Expenditures, Research and Rules Subcommittee
To resume oversight hearings on the implementation of the Paperwork Reduction Act (Public Law 96-511).

5110 Dirksen Building